

**May 16, 2023
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, May 16, 2023 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, Nathan Peterson and Joe Pell. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Public Works Director Tony Oxborough, Jackson County Sheriff Shawn Haken, Jackson Fire Chief Dave Bond, Janice Lepinski of PAWS (Precious Animals Worth Saving), Catherine Koppen, Judith Sinn, Community and Business Development Specialist Dave Schmidt of Community and Economic Development Associates (CEDA), Ken Kruse of the Fort Belmont Foundation, John Weland and Phil Perro of the Jackson County Animal Protection Society (JCAPS), City Clerk/Council Secretary Dave Maschoff and Justin Lessman of the Jackson County Pilot. Joining the meeting via Zoom and Teleconference were Duane Wepking of Burbach Aquatics, Engineer Richard Parr of SEH, Luke Ewald of Des Moines Valley Health and Human Services and Matthew Grisham of KKOJ/KUXX Radio.

PLEDGE OF ALLEGIANCE

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

CALL THE MEETING TO ORDER

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.

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

Mayor Polz asked for a motion to approve the Consent Agenda.

Skaret noted on Consent Agenda Item 7(K) regarding the EDA recommendation to approve reducing the price of the Sunset View Subdivision Phase II "Center Oval" lots by half should also include the West View lots located along Westridge Drive.

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

Council Discussion Items:

WATER TREATMENT PLANT MEDIA FILTER AND BACKWASH TANK IMPROVEMENT PROJECT RE-BID BID RESULTS

Skaret said bids were opened on Tuesday, May 2nd. He noted the Media Filter and Backwash Tank Improvement Project was re-bid. Skaret recalled that last time the bids came in very, very high and the City Council weighed the pros and cons very carefully of rebidding the project. He said the Council decided to rebid the project and the bids did come in significantly better. Skaret said Engineer Richard Parr of SEH was joining the City Council meeting via Zoom to talk about the bids.

Parr noted the Water Treatment Plant Media Filter and Backwash Tank Improvement Project was re-bid. He said three bids were submitted. Parr said the low bid of \$847,000.00 was submitted by Rubin Construction, LLC of Tyler, Minnesota. He said the other two bids were submitted by Wapasha Construction Company, Incorporated of Winona with a bid of \$966,777.77 and Magney Construction, Incorporated of Chanhassen, Minnesota who submitted a bid of \$966,000.00. Parr said the first round of bids were for over a million dollars-plus so he was happy to see the second round of bids come in lower.

Parr said SEH reached out to some references for low bidder Rubin Construction, LLC. He said Rubin Construction, LLC has done satisfactory work. Parr noted one of the references said they were very happy with Rubin Construction's work and would work with them again. Parr said Rubin Construction has done a number of water and wastewater projects. He said SEH sees no reason not to move forward in awarding the Water Treatment Media Filter and Backwash Tank Improvement Project to Rubin Construction as the low bidder. Parr said if the City Council agrees, that's SEH's recommendation.

Skaret said the Finance Committee met at noon on May 16th. He noted there is still a shortfall of about \$280,000 from what had been bonded for with the Street Project last year in anticipation of the project at the Water Plant. Skaret said the Finance Committee is recommending doing a \$280,000 transfer from the City's Electric Fund to the Water Fund to cover that difference. He explained the Electric Fund has sufficient reserves right now to be able to handle that.

Peterson asked what the timeline was for the project at the Water Plant.

Parr explained the timeline for the project was extended a bit due to the anticipated arrival of the electrical components for the project. He said the work on the inside of the Media Filter will probably be done during the fall. Parr said he thinks Rubin Construction will start submitting their submittals as soon as the contract is in place. He said it will probably be a couple of months before they start any on-site work. Parr said they're trying to limit the amount of time that the Water Plant is out of operation. He said SEH doesn't want the Media Filter work to be done during the summer months and wants the work to begin in the fall. Parr said work will probably not begin until this fall and continue over the winter months.

Mayor Polz asked for a motion to award the Water Treatment Plant Media Filter and Backwash Tank Improvement Project to Rubin Construction LLC of Tyler, Minnesota who submitted the low bid of \$847,000.

TITUS/PETERSON moved and it was unanimously carried to award the Water Treatment Plant Media Filter and Backwash Tank Improvement Project to Rubin Construction LLC of Tyler, Minnesota with the low bid of \$847,000.00.

POOL EVALUATION PROPOSAL – BURBACH AQUATICS

Skaret said Duane Wepking from Burbach Aquatics was joining the City Council meeting via Zoom. He explained the City received a proposal from Burbach Aquatics to do a second evaluation of the swimming pool. Skaret noted an evaluation of the pool had been done back in 2020/early 2021 by JLG Architects. He said the numbers from JLG Architects are the cost estimates the City and School District have been working off of so far regarding the pool renovation. Skaret said that's where the \$7 to \$9 million dollar estimate for renovating the pool has come from.

Skaret said given the magnitude of the project, it was thought that it might be beneficial to go out and see if there could be a second evaluation done of the pool.

Skaret said Burbach Aquatics of Platteville, Wisconsin was contacted. He said Burbach Aquatics most recently did the work on the pool in Estherville and they have done a lot of work on pools in Iowa, South Dakota, Minnesota and throughout the region.

Skaret said Burbach Aquatics has put together a proposal for a pool evaluation that is more detailed than what was done before. He said for instance, the earlier study did not look at the pool shell at all and did not observe the pool without water. Skaret said it was just more of a visual inspection. He said Burbach Aquatics will also bring in a mechanical engineer to look closer at the HVAC system and the pool mechanics.

Skaret said the overall cost of Burbach Aquatic's proposal is about \$54,300 which is significantly more than the cost of the first study which was about \$12,500.

Skaret said efforts were made to find a second evaluation of the pool so things could be compared “apples to apples” to see if the first cost estimates for renovation of the pool were in line.

Skaret said to make a long story short, they were not able to get a proposal that’s “apples to apples”. He explained part of the complication is with the pool being an indoor facility, it adds more to the equation. Skaret said aquatic engineering is a pretty specialized field so there aren’t a lot of companies around. He said he contacted three different firms and only one of them responded. Skaret said that company was very booked up and did not have time on their schedule to do an indoor pool evaluation.

Skaret said what’s before the City Council is the same proposal from Burbach Aquatics that the City Council looked at back in March.

Pell noted this proposal was a little bit more in depth than the first study.

Mayor Polz said he would be looking for a motion to approve the proposal from Burbach Aquatics for a second pool evaluation.

Alderswoman Mix said she thinks \$54,300 is a lot of money to spend when the City doesn’t have a commitment from the School District that they will participate in paying for the second evaluation. She explained she thinks the second evaluation is needed if the City is going to move forward and the Schoolboard is truly on board with approving a resolution on fixing the pool. But Mix said if this is just the City going alone, she thinks it’s a different conversation.

Mayor Polz asked if the cost of the second evaluation would be credited back if the City moves forward with Burbach Aquatics with the pool renovation.

Skaret asked if the \$54,300 for the evaluation would be credited back in the future if the City goes forward with Burbach Aquatics to have a full-blown pool project.

Duane Wepking of Burbach Aquatics explained the pool evaluation proposal is a team effort. He said Burbach Aquatics are doing the evaluation and consultation part. Wepking said the company doing the mechanical evaluation of the pool, Pleva Mechanical of Woodward, Iowa, are partners with Burbach Aquatics. He said Burbach Aquatics’ proposal and their approach to the pool evaluation is much more in depth.

Wepking explained the part of the proposal that is Pleva Mechanical's is very labor intensive. He said Pleva Mechanical's work is determining where underground piping problems may be and which pipes have problems. Wepking said it's all about a lot of scouting work. He noted a resource to the City Council and the community will be knowledge gained from the evaluation.

Wepking said for Burbach Aquatics' evaluation and consulting services, some of their time will be documentation or amending design plans in preparation for a renovation project. He said there may be a small amount of their fees that could be put towards the design efforts on a repair program. Wepking said the Mayor and City Council have to understand there's a very labor-intensive part of the mechanical evaluation that is just feet on the ground and providing a lot of resources and knowledge as far as the condition of the pool facility.

Skaret noted \$34,000 of the \$54,300 price for the evaluation is for mechanical specialist, Pleva Mechanical, to conduct the mechanical evaluation of the pool. He asked Wepking if that was correct.

Wepking said that was correct.

Mayor Polz asked if the study of the pool that was done earlier is, at this point, a little antiquated as well.

Skaret noted the earlier study is already two years old.

Peterson said when you look at the overall project, \$53,000 verses \$8 million, and you look at it percentage wise, he feels the study needs to be done for the City's citizens just so the City has the right numbers. Peterson said right now, numbers are being pulled out from everywhere and the City Council has heard numbers from all over the board. He said he knows that sharing in the cost of the study hasn't been brought up to the Schoolboard yet and he doesn't know if it's going to be brought up to the Schoolboard. But Peterson said he thinks the City Council needs to get the ball rolling and then, maybe down the road, the City could ask the Schoolboard to participate in the cost of the study.

Mix said that's her concern. She said it's known the School District is struggling financially, so if the City is going to go it alone or go a different path, she thinks the City Council really needs to evaluate that and decide what the City's second route is going to be. Mix said if the City is going to take on the pool fulltime, there's a lot of questions to be asked. She said she's not saying that the second study shouldn't be done. Mix said she does think if the City is going to move forward with any portion of pool, the study needs to be done. She said it wouldn't be wise to not spend the City's money and figure out, ok, what really are we looking at. But Mix asked is the school in, is the school out, is the school even open to the City doing the pool renovation by themselves? She asked does the City Council even know that? Mix said otherwise the City is going to spend \$54,000 and it might just go up in smoke if the School District says "yep, we're out of the pool business and we're not willing to even have you guys run it". She asked do we know that?

Skaret said the Schoolboard has said at meetings they're in the education business, not the pool business.

Mix said does that mean the Schoolboard is willing to let the pool go to the City? She said that's the question.

Peterson said there's been discussions but the Pool Task Force Committee hasn't gotten to that point yet.

Mix said that's what she's saying. She said she thinks the City Council's due diligence is having that conversation before the City spends \$54,000 and the Schoolboard says ok, we're not in the pool business and we're not interested in having the City running the pool and redoing the pool either.

Mayor Polz asked what the recommendation is of the Pool Task Force.

Titus said there hasn't been a recommendation.

Peterson said he would say the recommendation is that the second study needs to be done so the City and School can get better cost numbers. He said his hope is that down the road it will be realized that the re-evaluation was worth it and the Schoolboard will participate in the cost of the study and we can go forward. Peterson said the longer we delay we're not moving forward and we're just prolonging the process and kicking the can down the road.

Mayor Polz asked Peterson if he was going to make a motion.

PETERSON/TITUS moved and it was carried on a 4 to 1 voice vote to approve the proposal for a second pool evaluation from Burbach Aquatics of Plattville, Wisconsin with hopes that the Jackson County Central School District will come on board with the City and bring it to the JCC Schoolboard for them to discuss.

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

Voting against the motion was Alderwoman Sara Mix.

FIRST CONSIDERATION: ORDINANCE NO. 130 PROHIBITING THE FEEDING AND HOUSING OF CATS IN THE DOWNTOWN BUSINESS DISTRICT

Mayor Polz welcomed those attending the City Council meeting regarding the First Consideration of Ordinance No. 130.

Mayor Polz said he would like to go about the issue in an orderly fashion. He said if people wanted to speak, he would be happy to hear from them. Mayor Polz asked that people wanting to speak raise their hand, approach the podium and keep the length of their comments to two minutes.

Mayor Polz said Ordinance No. 130 would prohibit the feeding and housing of cats in the Downtown Business District.

Skaret said the City Council's Animal Committee has met a couple of times and has thoroughly discussed the situation at hand, particularly with the cats downtown. He said the focus of the Animal Committee is taking a balanced approach. Skaret said everyone agrees that the City needs an animal shelter. He said the City needs at least some kind of shelter to serve as a pound. Skaret said the Animal Committee is working very diligently on that. He said the Committee looked at one building and determined that building was probably not suitable. Skaret said the Animal Committee is looking very hard at a couple other options.

Skaret said the second piece of the equation is the feeding of the cats. He said the Animal Committee believes that the best way to strike a balanced approach is not to do an all-out feeding ban in town, but just limit it to the Downtown Business District. Skaret explained the most complaints the City has received about the cats has come from the Downtown Business District. He said it's a place where the City is trying to get people to gather and do commerce and support our businesses.

Skaret explained Ordinance No. 130 would prohibit the feeding of cats in the Downtown Business District as indicated on the City's official zoning map. He said Ordinance No. 130 would go into effect 30 days after the Second Consideration of the ordinance is approved. Skaret said Ordinance No. 130 clarifies that an infraction of the ordinance would be a petty misdemeanor instead of a misdemeanor as most of the City's other nuisance and animal ordinances are. He said it's really a pretty simple ordinance.

City Attorney Brad Anderson explained the 30-day delay in Ordinance No. 130 becoming effective was to give some time for the cats to understand they weren't going to be fed downtown anymore and start their relocation process. He noted an infraction of Ordinance No. 130 is petty misdemeanor that would carry a fine, but no jail time or anything like that. Attorney Anderson said Ordinance No. 130 is limited to the business district and he thinks part of the feeling was that's not the appropriate place to have cats. He said that's where business is conducted and if there's going to be cats, they will probably be in the residential area.

Judith Sinn said she knows Mayor Polz and Councilmembers have all received complaints about the cats downtown. She said she doesn't know who the complainants are. Sinn said apparently one or more of the complainants have already taken some pretty serious actions regarding the cats.

Sinn said she hasn't been a regular as far as feeding the cats downtown, but she's an animal lover. She noted that when she's had a pound of hamburger that's freezer burned or some pork chops she's not going to eat, instead of throwing it out, she would chop it up and take it downtown to feed the cats. Sinn pointed out cats require taurine in their diet.

Sinn pointed out there used to be 15 or 16 cats downtown. She said someone has taken upon themselves to eliminate them. Sinn said there's maybe two or three cats left.

Sinn said she's guessing, and have been told by people, that some businessman downtown apparently has lured these cats, trapped them, destroyed them and got rid of them. She said she's checked several times lately and there's two to three cats left downtown.

Sinn asked if the City, at some time, gave a permit to someone downtown to eliminate these homeless animals or has someone just done it themselves. She asked does anyone know?

Mayor Polz said he believes if someone would like to trap a cat on their own property, that they can go to the Sheriff's Department and they will give you the traps. He said he did not know the requirements or if there's a permitting process for trapping cats and he doesn't know if anybody has been trapping cats.

Sinn said the cats didn't just disappear on their own. She said the cats have been there for years. Sinn said these are homeless animals. She said fortunately we have some people in our community that believe what God says in the Bible about caring for his creatures. Sinn said she doesn't know if the cats are being trapped with poisoned meat or how they're being lured into the traps. She said she doesn't know how someone is destroying them. Sinn said she doesn't imagine that whoever is paying to have them humanly euthanized because that's rather expensive. She said she doesn't think the City is using our tax money to pay for that. Sinn said something serious is going on here. She said instead of proposing to pass some sort of ordinance to satisfy someone downtown, maybe the City should check into who's doing this.

Mayor Polz said Sinn brings up an interesting point because he was a little concerned about Ordinance No. 130 initially, but now that he thinks about it, he thinks Ordinance No. 130 would be beneficial. He said if somebody was trapping cats, at least now the City would have a shelter for the cats to go to.

Janice Lepinski pointed out the City doesn't have a shelter yet.

Sinn noted there are some people in the community that are taking in as many animals as they can. She said these people have used their own money to trap, neuter, spay and vaccinate these cats and now someone is just plain taking them out. Sinn said this is inexcusable for a community like ours.

Mayor Polz thanked Sinn for her time.

Janice Lepinski said before the City Council considers passing Ordinance No. 130, she would strongly suggest the Mayor and City Council look into Minnesota State Statute 343.21, particularly subdivisions 2 and 5 that deal with cruelty and neglect of animals.

Lepinski said if the City Council wants to ask our local law enforcement to enforce a law, perhaps the focus should be on Subdivision 5 which states no person shall abandon any animal. She said we have seen so many animals abandoned downtown, it's unreal.

Lepinski said PAWS has taken the friendly cats and also the feral cats which are not adoptable. She said PAWS can spay, neuter, vaccinate and release them back where they are familiar with their surroundings and where PAWS has had permission to do TNVR (Trap, Neuter, Vaccinate, Release) for the past few years through the City.

Lepinski said law enforcement has better things to do than to patrol downtown constantly with people feeding cats. She said that's what would happen as there are many people who leave human food for the cats. Lepinski said there is a person who feeds nutritional food that is keeping the cats healthy. She said due to the ordinance, that would no longer happen. Lepinski said more wildlife like racoons, skunks and other wildlife will move in because food is being left by people. She said the person feeding the nutritional food to the cats is a huge asset to this community and should be commended instead of criminalized for her compassion.

Lepinski said the animal shelter needs to come first. She said she's all for Ordinance No. 130 once there is a place to take the animals. Lepinski said the City doesn't have that. She said we need an animal shelter before the City can adopt Ordinance No. 130.

Lepinski said under the neglect component, the State Statute states that no person shall deprive any animal over which the person has charge or control of necessary food, water or shelter among other things.

Lepinski explained there has been permission from property owners to feed the cats on private property for over 15 years. She pointed out none of these cats are 15 years old. Lepinski said all these cats have ever known is food and shelter and compassion and kindness. She said Ordinance No. 130 passes and that goes away. Lepinski said the animal shelter is needed first, it has to come first.

Mayor Polz said he appreciates Lepinski and Sinn's concerns and understands where they're coming from and agrees. He noted that this is the First Reading of Ordinance No. 130 and there needs to be a second reading before anything can become official. Mayor Polz said he would be inclined to get Ordinance No. 130 on the books but he would really appreciate it if the City Council could hold off on the second reading of Ordinance No. 130 until the City has an animal shelter in place.

Phil Perro said the person that spoke earlier in the meeting should not accuse someone of trapping the cats unless they have the facts. He said if somebody is trapping the cats and they're disappearing, how do you know that they're not being relocated?

Sinn said the cats are not being relocated.

Perro said Sinn doesn't know that.

Perro noted the cats are strays and don't have any owners therefore there's no one that has any legal standing or say on how they're dealt with. He said he knows that there is a problem and it's more than just a couple cats left because he's downtown everyday too. Perro said he knows there's a problem and it does need to be dealt with. He said he's heard from many business owners because he's toured the different businesses talking about this issue because he's a member of the JCAPS (Jackson County Animal Protection Society) Board. Perro said the issue with the cats is one of the things the JCAPS Board talks about all the time. He said yes there is an issue and yes, he wishes the City had an animal shelter in place already. But, Perro said in the downtown business area, that's where this feeding has to stop. He said if the feeding happens in the residential area, the cats maybe will move to the residential area.

Perro said anyone who owns a cat should have it registered with City Hall with a tag. He said if it doesn't have a tag, it's a stray.

Mayor Polz ended discussion and entertained a motion regarding First Consideration of Ordinance No. 130.

Naumann asked if there was a plan coming for an animal shelter or is it being worked on.

Skaret said a plan is being worked on by the Animal Control Committee.

Pell said the Committee is currently looking at buildings and a possible location. He said the Committee is actively looking for a location to have an animal shelter.

Sinn said she thinks there are people in town that are concerned about all of this and would be happy to help the City do some fundraising too.

Mayor Polz said he appreciates the passion and understands we all have our passions.

Peterson asked when the Second Consideration of Ordinance No. 130 would be held.

Mayor Polz said he would leave that up to Skaret to schedule the Second Consideration.

Skaret said the next regular City Council meeting will be held on June 6th. He said the Animal Committee is going to continue to work diligently on finding a suitable building situation that will act as an animal shelter.

Titus asked if there's any requirement to have the Second Consideration of Ordinance No. 130 at the June 6th meeting.

Mayor Polz said the Second Consideration would not have to be held at the June 6th Council meeting.

Titus said he anticipates the City will get an animal shelter quite quickly. He said it probably won't be a stick-built structure, but more of a small pre-fab structure.

Skaret said the City is probably looking at roughly a building that's 30 feet by 30 feet or 25 feet by 25 feet.

Lepinski said the facility as described wouldn't be a shelter, but a holding place. She asked what would happen to the animals if they weren't claimed. Lepinski asked if they would be euthanized.

Peterson said a committee would have to set the rules for the holding facility. He said he doesn't think that's been discussed yet.

Lepinski said that's an important discussion.

Mayor Polz said as he would foresee it, after the holding period is done, whether it's five days or ten days, he feels the prudent thing to do would be to reach out to entities such as JCAPS or PAWS to see if there would be space available before the animal would be euthanized. Mayor Polz said that's how he would anticipate that would happen.

Peterson said the animals could then be put up for adoption.

Sinn said, so in other words, you're proposing that every animal that doesn't have an owner is euthanized because nobody's going to claim them.

Peterson said once the animals are caught, the opportunity will there for the animals to be adopted through PAWS or JCAPS.

Sinn said PAWS and JCAPS can't get rid of the animals they're caring for now. She said that's cruel, cruel.

Peterson called the question.

Mix thanked those attending the Council meeting to discuss Ordinance No. 130.

MIX/PELL moved and it was unanimously carried to approve First Consideration of Ordinance No. 130 Prohibiting the Feeding and Housing of Cats in the Downtown Business District.

2022 FORT BELMONT ANNUAL REPORT – KEN KRUSE

Ken Kruse of the Fort Belmont Foundation presented Mayor Polz and Councilmembers the 2022 annual report of Fort Belmont. He said Fort Belmont is celebrating its 65th year in 2023. Kruse said he's been a member of the Fort Belmont Foundation for the past 35 years.

Kruse reported things have been going well at Fort Belmont. He said the Fort had a good summer in 2022 with many events. Kruse said Fort Belmont has also recently received some nice donations. He said Pioneer Days on August 27th and 28th went quite well and featured entertainment by the Zooman, Minnesota Jack Sparrow, Bryce Stenzel and Steve Ulmen.

Kruse said this is the third season that Fort Belmont has been involved in Harvest Hosts. He explained Harvest Hosts is an organization of people who have self-contained RV's or travel trailers. Kruse said Fort Belmont provides the parking spot. He said Fort Belmont does not charge the campers to park, but according to the agreement with Harvest Hosts, the campers are supposed to spend a minimum of \$20 with Fort Belmont one way or the other whether it's a donation, admissions or gift shop sales. Kruse said the RV or travel trailer has to be self-contained. He said Fort Belmont does not provide any facilities. Kruse said in 2022, Fort Belmont had 104 Harvest Hosts visitors and in 2021 there were 114 Harvest Host visitors.

Kruse said although Fort Belmont won't officially open until Memorial Day weekend, the Fort has already hosted five or six Harvest Hosts guests. He said those Harvest Hosts guests included people from Tennessee, Australia, Great Britain, Toronto, Canada, British Columbia, Rhode Island and Texas.

Kruse said there have been a lot of international people who have visited the Fort. He said Fort Belmont usually receives reviews from their visitors. Kruse said about 75 percent of the visitors write reviews about Fort Belmont. He noted every review they have received has been a five-star review. Kruse said visitors are so impressed with how manicured the Fort Belmont grounds are. He said the manicured looks were due to the work of the late Mark Oeltjenbruns, who unfortunately, recently passed away.

Kruse said there are already reservations for approximately 20 Harvest Hosts guests to camp at Fort Belmont this summer. He noted a lot of Fort Belmont's Harvest Hosts guests comment that they like to use the City's bike trails and there are a lot of them that visit downtown Jackson to eat at the restaurants and purchase gasoline and items like that. Kruse said it brings a fair amount of business into town.

Kruse reported four weddings were held at Fort Belmont in 2022 and a wedding is already booked at the Fort for this year.

Kruse said right now Fort Belmont is in the process of building their old-time drug store. He explained the family of the late Burt Joul, who was a longtime pharmacist in Jackson, donated a number of drug store items that Joul had kept over the years. Kruse said there were also items from at least two previous druggists that Joul had kept. He said it seemed that nobody had thrown anything away. Kruse said there are items dating back to almost 1900. Kruse explained the small building that Fort Belmont used to use for their gift shop before the museum was built was put on a foundation and is being made into an old-time drug store. He noted there are a lot of interesting items.

Kruse said Fort Belmont is going to try and have an open house when the old-time drug store is ready for visitors.

Kruse welcomed Mayor Polz and Councilmembers to visit Fort Belmont anytime to see what they have. He said they have a lot of very unique items at Fort Belmont. Kruse noted one of the things he brags about to guests is that almost everything at the Fort has been locally donated. He said it's our own town's history and nothing that has been made up. Kruse said it's ours and it's fun to show it off to people.

Kruse thanked the Mayor and Council for the City's continued support of Fort Belmont.

Mayor Polz thanked Kruse.

Peterson thanked Kruse and the Fort Belmont Foundation and volunteers for all they do.

REQUEST FROM THE AMERICAN LEGION POST 130: MEMORIAL DAY PARADE AND PROGRAM AT ASHLEY PARK ON MAY 29TH. (PARADE WILL BEGIN AT 9:30 A.M. IN FRONT OF THE LEGION, GO UP SHERMAN STREET TO MAIN STREET AND THEN NORTH TO ASHLEY PARK FOR THE MEMORIAL DAY PROGRAM.)

Mayor Polz said the American Legion Post 130's Memorial Day Parade and Program will be taking place at Ashley Park on May 29th. He said the parade will begin at 9:30 in front of the American Legion, then go up Sherman Street to Main Street and then north to Ashley Park for the Memorial Day Program.

PETERSON/PELL moved and it was unanimously carried to approve the request from Jackson American Legion Post 130 to hold the annual Memorial Day Parade and Memorial Day Program at Ashley Park on Monday, May 29th, 2023.

CHILDREN AT PLAY SIGN REQUEST IN THE ALLEY AT 704 BROWN STREET

Skaret said the City received a request for a "Children at Play" sign in the alley behind 704 Brown Street. He said typically the City only puts up "Children at Play" signs near parks. Skaret said there's certainly debate on whether such signs are effective or not. He said there have been multiple studies indicating such signs do not have an effect on the behavior of motorists.

Skaret said Public Work Director Tony Oxborough recommends giving the "Children at Play" sign in the alley at 704 Brown Street a try and see if it has an effect.

Oxborough said such signs work in theory. He said he spoke with the property owners requesting the sign and asked if they would provide feedback on whether the "Children at Play" works. Oxborough said the property owners said they would provide feedback. He said the Public Works Department would try it out in the alley. Oxborough explained the alley goes to a bunch of backyards that children are playing at, but not a street itself and is a dead end. He said it's kind of a unique situation. Oxborough said let's give it a try and follow-up later in the summer and see if the sign actually works.

Mayor Polz asked for a motion to approve the request for a “Children at Play” sign in the alley at 704 Brown Street.

PELL/NAUMANN moved and it was unanimously carried to approve the request for a “Children at Play” sign in the alley at 704 Brown Street.

PARK BOARD RECOMMENDATION: MOVE LOCATION OF PROPOSED DOG PARK AND AUTHORIZE STAFF TO OBTAIN UPDATED QUOTES FOR FENCING AND MATERIALS

Public Works Director Tony Oxborough explained the Park Board wants to utilize the infrastructure the City has with the renewed interest in reviving recreational adult league softball. He said the Park Board is recommending moving the location of the proposed dog park to inside the loop/oval and walking trail on the south side of Memorial Park. Oxborough said there’s an electrical line that goes through that area but the City can work around that, plus it’s the City’s utility as the electric line goes to run Well Number 6.

Oxborough said he hasn’t received any quotes yet for the fencing. He said he’s trying to keep the cost for fencing around the \$8,600 that was originally talked about for fencing. Oxborough said the original quote was for an eight-foot fence. He said it’s being proposed to install only a five-foot fence so that might make up the cost difference. Oxborough said they are going to try to match the shape of the original proposed dog park otherwise the other plan is to have a 75-foot by 75-foot dog park.

Peterson asked if there will be a divider fence between big dogs and small dogs.

Oxborough said the future plan would be to install a fence right down the middle of the dog park.

Mix asked if the cost for the dog park fencing come in lower than anticipated, will the divider fence be installed right away?

Oxborough said that sure can be done.

Mix said as a dog owner, she wouldn’t want big dogs in the same area with small dogs. She asked Oxborough how long it will be before a bid for the fencing is received.

Oxborough said he texted a company that was going to provide a quote for fencing but they haven't contacted him yet. He said he will contact them to see when a quote will be available.

Pell noted Oxborough said he will be able to provide water to the proposed dog park location as well.

PETERSON/MIX moved and it was unanimously carried to amend the previous motion regarding the location of the Dog Park at Albertus Field and relocate the Dog Park to the Oval South Loop of the Memorial Park Trail and authorize Public Works Director Tony Oxborough to move forward to obtain updated quotes for fencing and materials.

FIRST CONSIDERATION: ORDINANCE NO. 131 AMENDING CHAPTER 116.05 REGARDING PUBLIC CONSUMPTION OF ALCOHOL IN PUBLIC PLACES

Skaret said Ordinance No. 131 stems from discussion by the Park Board about reviving the adult recreation league softball, also known as beer league softball. He said it used to be held years ago at Albertus Fields. Skaret said the adult league softball was discontinued some years ago. He said one of the concerns is you can't have beer league softball in a park where alcohol is not allowed.

Skaret said the Park Board talked about it. He noted the City has in its ordinance that public consumption of basically alcohol or beer is not permitted in a public place. Skaret explained this ordinance amendment would change the City's ordinance to allow the City Council to grant prior special exceptions to that rule.

Peterson asked Jackson County Sheriff Shawn Haken if he had any concerns with Ordinance No. 131.

Haken said none. He said the way the current City ordinance is now, it's pretty rare to have it that strict. Haken said most other communities allow what the City Council is currently looking at with Ordinance No. 131.

Skaret noted the City is not trying to have a walking liquor store or bar in any of the City's parks, but if someone wants to have an event with some alcohol, providing they are not selling it, they can have alcohol upon having prior authorization from the City Council.

Peterson asked if Ordinance No. 131 would also apply to the City's other parks.

Skaret said it would. He said if someone wanted to have an event in another park other than Albertus Fields, the person could come and receive special authorization.

PETERSON/PELL moved and it was unanimously carried to approve First Consideration of Ordinance No. 131 Amending Chapter 116.05 regarding Public Consumption of Alcohol in Public Places.

Mix commended the Park Board for trying something new and trying to get more people out and doing things. She said it's awesome. Mix said most of us grew up with softball leagues like that and it will be great to get that started again.

Public Works Director Tony Oxborough said the Public Works Department will do their best to clean up the ballfields this year and next year really push to get a softball league going.

Pell, a member of the Park Board, said the Park Board knew starting the softball leagues was a year away, but wanted to get the current City ordinance amended so that was taken care of to be ready for next year's softball leagues.

UNION CONTRACT MEMORANDUM OF UNDERSTANDING

Skaret explained as part of the City's reorganization of the Street and Water Departments into a Public Works Department, there had to be some shuffling around particularly with creating the two Senior Equipment Operator positions. He said in order to make that kosher with the Union contract, there needs to be a Memorandum of Understanding.

Skaret said the Union has already approved the Memorandum of Understanding and the City Council also needs to give their approval.

Mayor Polz asked for a motion for the City Council to approve the Union contract Memorandum of Understanding.

MIX/PELL moved and it was unanimously carried for the City Council to approve the Union Contract Memorandum of Understanding.

NUISANCE MEETING UPDATE

Skaret said he wanted to update the Mayor and City Council. He said at the next City Council meeting, there will be a formal proposal presented to the Council regarding the City having a more consistent and fair process with nuisances going forward.

Skaret reported there was a pretty lengthy and good meeting on Thursday, May 11th with City Attorney Brad Anderson, City Clerk Dave Maschoff, Sheriff Shawn Haken, Deputy Trevor Anderson and himself to talk about how does the City approach nuisances going forward.

Skaret said it's known that one of the priorities of the City Council is community beautification and addressing blight. He said a process is being developed that will be consistent with what the goals of the Council are.

City Attorney Anderson said the group that met on May 11th looked at the criminal path and how that could be used in the future. He said they also more focused on the administrative path hoping that might be a more effective tool for abatement of nuisances.

Mayor Polz thanked Skaret and Attorney Anderson for the update.

MAYOR'S PROCLAMATION – BIKE MONTH PROCLAMATION – MAY 2023

Mayor Polz read the Bike Month Proclamation for May 2023.

Mayor Polz read:

WHEREAS, *Jackson County Friends of the Trails, the League of American Bicyclists, schools, parks and recreation departments, public safety departments, healthcare facilities, businesses, and civic groups across the country will be promoting "Walking and Rolling" during the month of May 2023; and*

WHEREAS, *May 15th to May 21st, 2023 is "Bike to Work Week" and "Bike to Work Day" is May 19th; and*

WHEREAS, *Jackson is proud and honored to be designated as a "Bicycle Friendly Community" by BikeMN and League of American Bicyclists; and*

WHEREAS, *"Walking and Rolling" is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of Jackson's scenic beauty; and*

WHEREAS, the use of Jackson's nine miles, and continuing expansion, of local trails and nearby walking and bicycling infrastructure is strongly encouraged to improve citizens' health, well-being, and quality of life, improve traffic safety, have educational benefits, reduce pollution, and wear and tear on our streets and roads; and

WHEREAS, creating a bicycling-friendly community has been shown to improve citizens' health, well-being, and quality of life, growing the economy of Jackson, attracting tourism dollars, improving traffic safety, supporting student learning outcomes, and reducing pollution, congestion, and wear and tear on our streets and roads; and

NOW THEREFORE, I, Marcus Polz, Mayor of Jackson, Minnesota, do hereby proclaim May 2023 as Walk and Roll Month in Jackson, Minnesota, and I urge all residents to join me commemorating National Bicycle Month.

Signed this 16th day of May 2023

Marcus Polz, Mayor

COUNCIL CHAMBER UPGRADES UPDATE

Skaret provided Mayor Polz and Councilmembers information detailing proposed improvements to the City Council Chambers. He explained the improvements are broken down into five different parts.

Skaret said the upgrade would include the painting of the walls and ceiling and also put the City's logo on the wall at the front of the Council Chambers. He explained the City logo would be accented and stick out from the surface of the front wall. Skaret said the City would be working with a local sign company to develop plans for that. He said all of that work would cost about \$5,400.

Skaret said there are a lot of different options for upgrading the lighting in the Council Chambers. He said looking at the different options for lighting, the cost would be from \$8,000 to \$18,000.

Skaret said to reupholster the Council chairs and the audience seating chairs would cost about \$11,400 for labor, materials, pickup and delivery.

Skaret said the estimated cost for new shades for the windows in the Council Chambers would be about \$1,500.

Skaret noted overall project coordination by the interior designer would be about \$5,000.

Skaret said all total, give or take depending on the different options, the cost would be around \$35,000 to do all the upgrades at the same time.

Skaret said the Finance Committee met on May 16th and recommended that if the City Council moves forward with the improvements that they do all upgrades at one time. He said if all the improvements were done all at one time, the Council Chambers would be out of commission for probably two to three weeks. Skaret said the Council would have to find an alternate location to hold a City Council meeting or other meetings. He noted some of the smaller committee and group meetings could be held in the other conference room at City Hall. Otherwise, Skaret said an outside location would need to be found for Council meetings and there are some possibilities available.

Skaret said if the City Council is interested in moving forward with the Council Chamber upgrades, there are a lot of decisions that would need to be made as far as colors and materials and sitting down with the interior designer to go through the options. Skaret suggested the City Council form a committee of two or three Councilmembers to go through that process.

Peterson asked if it would be less expensive to buy new chairs verses reupholstering the current Council and audience chairs.

Skaret said that's certainly something that can be discussed with the interior designer.

Mayor Polz asked Councilmembers who would like to serve on the committee regarding the Council Chamber upgrades.

Pell said he would serve on the committee.

Peterson said he would also serve as a member of that committee.

Mayor Polz said another thing that was discussed at the Finance Committee meeting was Phase Two of improvements for the Council Chambers which would include an audio/video system that would include microphones, speakers and cameras for Zoom.

Skaret said there continues to be problems with the OWL system and the overall acoustics in the room are inconsistent. He said there's a new OWL the City received on warranty exchange that just arrived and needs to be setup. Skaret said an OWL system typically works better, according to what we've learned, for a smaller conference room. He said to get adequate volume for more of a chamber setting like the City Council Chambers, there should probably be a different system for consistency and quality. Skaret said a system that was recommended and quoted for the City Council Chambers was about \$20,000. He said that's something the Finance Committee recommended the City Council wait and include that in the City's budgeting for next year.

John Weland reminded Mayor Polz and Councilmembers that the City does have a Technology Committee that could assist with any future visual, audio and electrical upgrades to the Council Chambers.

Peterson suggested having the Committee meet before having the City Council take action regarding any proposed upgrades to the Council Chambers.

Skaret said he would schedule a meeting with Committee members Peterson and Pell and the interior designer.

Other:

Alderman Nathan Peterson – Problems with grass on South Street

Peterson noted four photographs he had taken that were included in the Mayor and Councilmembers' informational packets showing where the grass had not grown following the construction work on South Street. He said if you drive up and down South Street you see a lot of instances where the grass did not grow on residents' lawns after the South Street project. Peterson pointed out the mat is there and the weeds have come through the mat, but there's still no grass.

Peterson said he feels the City needs to do something by having the contractor replace the grass or having residents' yards reseeded.

Skaret said he would contact the City's engineer as soon as possible to discuss the situation.

Mix said reseeding yards won't fix the situation. She said she spent four hours in her yard along South Street pulling weeds.

Peterson said the weeds grew from under the mat.

Mix said her yard looks like gophers were in it. She said the weeds came from the dirt the contractor brought in. Mix said the situation needs to be remedied.

Alderman Chris Naumann – Library update

Naumann said Skaret has been working with the Library regarding repairs. He noted the Library's boiler system is still struggling. Naumann said Library employees said it was 60 degrees in the Library the other day when the weather was cold outside. He said the boiler system was working for a little bit, and now all of sudden, it's not working again.

Skaret said the City is still waiting for a quote regarding the boilers from Johnson Controls.

Naumann said the windows at the Library have been repaired. He said there's a little bit of patching left to do, but the windows aren't leaking anymore when it rains, so that's a bonus.

Skaret pointed out the lighting project at the Library has been completed. He said the lighting is much improved. Skaret thanked Mayor Polz and Councilmembers for approving the lighting project for the Library.

Alderman Mark Titus – Pool Task Force

Titus reported the Pool Task Force will be meeting on Thursday, May 18th at 5:30 p.m.

ADJOURNMENT

With no further business, Mayor Polz entertained a motion to adjourn the meeting.

PETERSON/PELL moved and it was unanimously carried to adjourn the Jackson City Council meeting at 7:50 p.m.

David A. Maschoff, Council Secretary

Marcus Polz, Mayor