

UTILITIES COMMISSION MEETING
May 23, 2022

A regular meeting of the City of Jackson Utilities Commission was held in the Council Chambers of City Hall at 4 p.m. on May 23, 2022 with the following persons present: Utilities Commission Chairman Kevin Siepker, Vice-Chairman Mike Schwartz, Sandy Phillips, Michael More, Dennis Hunwardsen and Joe Marthaler. Also attending were City Administrator Matt Skaret, Street Superintendent Phil Markman, Water/Wastewater Superintendent Tony Oxborough, MRES Electric Distribution Superintendent Jeff Bechhold, MRES Jackson Distribution Maintenance Foreman Tony Nitchals, City Finance Officer Deb Mitchell and Recording Secretary Dave Maschoff. (Utilities Commission member Jenna Schwartz was absent.) (A quorum of the Utilities Commission was present.)

OPEN THE MEETING

Chairman Kevin Siepker called the regular meeting of the Utilities Commission to order. He noted a quorum of the Utilities Commission was present.

INTRODUCE NEW MRES JACKSON DISTRIBUTION MAINTENANCE FOREMAN

MRES Electric Distribution Superintendent Jeff Bechhold introduced new MRES Jackson Distribution Maintenance Foreman Tony Nitchals to the Utilities Commission members. Bechhold said Nitchals fills the vacancy created when former Maintenance Foreman Jeremy Boogerd resigned.

Bechhold said May 23rd was Nitchals' first day on his job.

Nitchals explained he's been in the electric line service for 22 years. He said he started his career in St. James when he graduated from school. Nitchals said he then moved to Estherville, Iowa and has been employed by the City of Estherville for the past 19 years. He said the opportunity came forward to him to keep growing and expanding in his career so he accepted a position with Missouri River Energy Services. Nitchals said he will be here to serve the Utilities Commission and help in any way he can.

Skaret noted Nitchals attended the power line program at Minnesota West in Jackson.

Becthold noted he was the first person to hire Nitchals after he graduated from school.

Siepkker welcomed Nitchals to Jackson.

DEPARTMENTAL REPORTS

Water Department

Water/Wastewater Superintendent Tony Oxborough reported work is being completed on the old ground water storage tank that will be used for storage. He said he's reached out to someone to paint the old tank but hasn't heard back from them yet. Oxborough said the plan is to have the old tank painted sometime this year.

Oxborough said the parking lot at the Water Treatment Plant is being replaced. He explained the parking lot was incorrectly installed causing water not to drain away as it was supposed to. Oxborough said the contractor is going to redo the entire parking lot at the Water Plant.

Oxborough said the Water Department is in the middle of their first discharge of the spring from the City's lagoon ponds. He said it's going to be the only discharge of this year. Oxborough said this year's water levels in the lagoons is similar to last spring. He said it's super dry and flows are maintaining about 400,000 to 450,000 gallons a day. Oxborough said once the discharging is complete, the Water Department may work on the lagoon ponds in getting them mowed, sprayed and doing maintenance. He said they are working on fixing some riprap at the ponds.

Oxborough reported the Water Department received a shipment of 216 antennas for the AMI Water Meters. He said the Water Department is moving forward with the AMI Water Meter Project.

Oxborough said SEH are still working on the plans on the Filter Media Replacement Project at the Water Treatment Plant.

Oxborough said the Water Department has also been busy with normal maintenance for this time of the year.

Electric Department

MRES Electric Distribution Superintendent Jeff Bechhold said the Electric Department is finishing up work in the downtown alleys. He said all the electric utility poles that can be, except for two, have been removed from the alleys. Bechhold noted electric utility poles no longer needed will also be removed from Minnesota West down to the downtown area.

Bechhold said the Electric Department will also be working on Emily Street when the street is redone.

Street Department

Street Superintendent Phil Markman reported the hot mix plant in Worthington began operations for the season two weeks ago. He said the Street Department started patching streets last week concentrating on water main break holes first.

Markman said recent heavy rains caused some of the edges of streets on the hills around town to wash out. He said the Street Department has been patching those areas. Markman said all the driveways along Thomas Hill have been patched.

Markman said two of the seasonal park employees are at work and doing a good job with mowing. He said he drove around Jackson on May 19th and wrote up 53 mow notices that will be sent to property owners. Markman noted a lot of those 53 have already been mowed by the property owners.

Markman said the Street Department repaired a storm sewer that had a hole in it that created a hole on Kimball Street.

Markman said contractor Duininck's worked in Jackson on May 20th installing the wear course on South Street. He said Duininck's finished about 90 percent of South Street on May 20th and finished up South Street on May 23rd. Markman said Duininck's also installed the final lift of asphalt on Spirit Lake Drive in front of Svoboda Excavating that was part of the Sanitary Sewer Extension Project. He said Duininck's is currently working on North Highway to wrap up that project.

Markman said the splash pad is going to get turned on for the season by Friday, May 27th.

Markman said the City is waiting for bids to be submitted for the Riverside Drive, Emily Street and Downtown Alley projects.

Skaret noted there was some tree damage due to storms on the night of May 11th. He said “hats off” to the Street Department personnel for clearing up those trees.

Markman said there were five or six spots where there was tree damage. He said there were a couple spots where trees were cleared that were blocking the street. Markman said it was fortunate the leaves weren’t fully out on the trees yet because that lessened the amount of tree damage in Jackson.

Third Grade Visit to the Water Plant

Skaret noted approximately 80 Third Graders from Riverside Elementary in Jackson visited and toured the Water Plant on May 6th. He said the students learned about water and wastewater and also learned that the toilet is not a garbage can.

Oxborough said there were four teachers with approximately 20 students each that toured the plant and participated in several educational stations including drawing about water related items on the Water Plant’s parking lot. For a first ever event in hosting the Third Graders at the Water Plant, Oxborough said the event worked very well. He said the Water Department is looking forward to hosting the Third Graders again next year.

UPDATE ON LARRY CLYMER’S REQUEST

Skaret said after the April 25th Utilities Commission meeting, the Commission’s recommendation to reimburse Larry Clymer up to \$2,100 was forwarded onto the City Council for their May 3rd meeting.

Skaret said Mr. Clymer attended the May 3rd Council meeting. He said Sandy Phillips also attended speaking on behalf of the Utilities Commission. Skaret said quite a lengthy discussion was held.

Skaret said there were some concerns discussed by the City Attorney about the Council setting a precedent and also the public expenditure requirement under Minnesota State Statute.

Skaret said after a lot of discussion, the City Council approved the \$2,100 reimbursement looking into other legal means to see if the City could make that happen in one way or another.

Skaret said in checking with the City's auditors and the City's Financial Advisor, Shannon Sweeney, the proper vessel to do the reimbursement with the limitations under State Law would be through the Economic Development Authority, the EDA.

Skaret said the EDA met and the EDA approved a forgivable loan of \$2,100 on the condition that Clymer approach the contractor to get reimbursement for the claim. Skaret explained if the contractor does not comply, then Clymer would need to file a lawsuit against the contractor in Reconciliation Court, also known as Small Claims Court. He said if that's unsuccessful, then a \$2,100 forgivable loan would be granted through the EDA. Skaret said under that scenario, there's a chance that Clymer could get the full \$4,300 (the approximate full cost of Clymer's damages) plus court costs. Skaret said Clymer may come out further ahead by following the EDA's recommendation.

Phillips said she had a question. She noted usually what she has seen in the past is when the Utilities Commission makes a recommendation to the City Council, the recommendation appears on the Council's Consent Agenda.

Phillips pointed out the Utilities Commission's recommendation regarding the reimbursement to Clymer was put on the Council's agenda as a discussion item. She said there was a letter from City Attorney Brad Anderson and a lot of work went on administratively between the April 25th Utilities Commission meeting and the City Council meeting on May 3rd.

Since it was a sensitive issue and the Utilities Commission spent so much time on it and there was such discussion, Phillips said, personally, she would have appreciated an email or some sort of notification from City staff to the Utilities Commission members saying this is going to be a discussion item because the City has concerns instead of her just wondering, oh, I wonder how that's going to go and showing up at the Council meeting. Phillips said she thinks it would be showing the Utilities Commission respect to have that communication come back if there's going to be a discussion at the Council meeting about a decision the Utilities Commission made. She said the Utilities Commission should be informed.

Skaret said that's a point well taken. He said his goal is to be there as the Council representative and Utilities Commission representative. Skaret said he takes that into consideration.

Phillips said but to come back and let all the Utilities Commission members know. She said all of the Utilities Commission members spend time and effort at the Commission meetings and the Commission members have a commitment to the community. Phillips said she would encourage City staff to bring the communication back to the Utilities Commission when there's going to be a discussion at the City Council meeting about one of the Utilities Commission's decisions.

Skaret said Phillips is correct that usually the Utilities Commission's recommendations are placed on the City Council's Consent Agenda 99 percent of the time and they sail right on through. But Skaret noted this was such an unusual case and the City Attorney had concerns about it.

Phillips said it would have been nice to know that. She said it would have been nice for the Utilities Commission to know that.

Skaret said City staff will remember that for the future.

Phillips said thank-you very much.

Other:

Northern Gas Pipeline Project – Informational

Siepkner noted a map that had been distributed to the Utilities Commission members prior to the meeting.

City Clerk Maschoff said the map was an informational item for the Utilities Commission. He said Northern Natural Gas wants to redo some of their gas piping south of Jackson.

Maschoff said Northern Natural Gas is checking with all entities to see if they need to obtain permits. He said as far as the City is concerned, it appears no permitting will be required from the City. Maschoff said City staff wanted pass along the information to the Utilities Commission. He said he assumes Northern Natural Gas is also checking with the State of Minnesota and Jackson County to see what's required.

Siepkner asked when the piping project will take place.

Maschoff said he doesn't know if a date has been set for the project at this time.

City Administrator Matt Skaret

Skaret said the City's street projects for this year are out for bid. He said those streets include Emily Street, Riverside Drive and River Street. Skaret said those bids are due on Friday, June 3rd. He said the bids for the Downtown Alley Project are due on Monday, June 6th. Skaret said the bids will then go before the City Council on June 7th.

ADJOURNMENT

With no further business, Chairman Siepkner asked for a motion to adjourn the meeting.

MORE/MIKE SCHWARTZ moved and it was unanimously carried to adjourn the Utilities Commission meeting at 4:28 p.m.

David A. Maschoff, Recording Secretary

