

UTILITIES COMMISSION MEETING
May 24, 2021

A regular meeting of the City of Jackson Utilities Commission was held in the Council Chambers of City Hall at 4:00 p.m. on May 24, 2021 with the following persons present: Utilities Commission Chairman Kevin Siepker, Joe Marthaler, Jenna Schwartz, Matt Madden and Sandy Phillips. Also attending were City Administrator Matt Skaret, Street Superintendent Phil Markman, Water/Wastewater Superintendent Tony Oxborough, MRES Jackson Distribution Maintenance Foreman Jeremy Boogerd, City Finance Officer Deb Mitchell, Lee Porter, Tam Erickson, Mike Erickson and Recording Secretary Dave Maschoff. (Utilities Commission members Mike Schwartz and Nicole Hall were absent.) (A quorum of the Utilities Commission was present.)

OPEN THE MEETING

Chairman Kevin Siepker called the regular monthly meeting of the Utilities Commission to order.

APPROVE THE MINUTES FROM THE MARCH 29, 2021 UTILITIES COMMISSION MEETING

Siepker asked if there were any additions, corrections or issues regarding the minutes for the March 29, 2021 Utilities Commission meeting. Hearing none, Siepker said the minutes would be approved as mailed.

TAM ERICKSON REGARDING WATER ISSUES AT 712 SOUTH HIGHWAY

Tam Erickson explained she has been having water issues at her property located at 712 South Highway. She said they have had continuing water issues with water coming off of Bluff Avenue.

Erickson said they did extensive landscaping work on their lot during the summer of 2020. She noted the storm sewer can't take all the water when it flows down the hill completely filling a dip aside of the house.

Erickson pointed out they have spent a lot of money fixing up the property.

Erickson said they are requesting the City fix the storm sewer so it can handle that amount of water so they don't continue to have problems. She said they have fought with it for years. Erickson said they have water coming down the side hill and now it's coming down Bluff Avenue. She said the storm sewer just can't take in that amount of water.

Mike Erickson said the intake is only eight inches in diameter and thinks it dumps into a bigger intake approximately 15 feet away. He said it basically needs a bigger intake.

Tam Erickson said both Street Superintendent Phil Markman and Assistant Street Superintendent Jared Spaeth are both aware of the situation and have looked at it.

Tam Erickson noted a lot of debris comes down Bluff Avenue. She said Mike Erickson cleans out the intake whenever he sees debris on it because he knows the water will be on their property when it can't go down the storm sewer.

Mike Erickson said every time it rains, he has to go and clean the debris off the intake three or four times while it's raining.

Sieper asked if there was a curb along Bluff Avenue.

Mike Erickson said there is no curb. He noted he had installed a red rock wall that helped with the water runoff situation but the City said he had to remove it.

Tam Erickson said previously, they had water issues coming from the side hill on the west side of the property. She said once a contractor did some boring, a water main or water line was repaired and the situation was resolved.

Tam Erickson said what they are asking for is that the storm sewer be fixed in front of their property at 712 South Highway.

Skaret asked Oxborough if there was ever a broken water main on Bluff Avenue.

Oxborough said a contractor struck a water main so the water was coming down the hill.

Mike Erickson claimed the water main was leaking before the contractor struck it.

On another issue, Tam Erickson noted they spent over \$20,000 to install a Lift Station to pump sewage up to Bluff Avenue. She said now, the sewer line extension is being installed in front of their property and their yard is torn up. Erickson said they feel the City should hook up the house at 712 South Highway to the new sanitary sewer for all the inconvenience that they've had. She said it's been a big issue.

Erickson said they are requesting the City hook up their house from the front to the new sanitary sewer system so they can eliminate their lift station.

Skaret explained the reason the sanitary sewer extension project is being done now in front of 712 South Highway is because the project was held up for several years because of the sewer crossing that had to be made across the Des Moines River. He said the project was delayed because of several years of high-water levels in the river which prevented installing the sewer line across the river.

Mike Erickson said he would like to have their property hooked up to the new sanitary sewer line to eliminate all the problems that can happen to lift stations.

Phillips suggested moving on with the agenda until Street Superintendent Phil Markman arrives at the meeting to provide further information.

LEE PORTER – LANDLORDS AND UTILITY BILLS

Lee Porter said he would like to bring up the issue of the City's current policy of when a tenant leaves a rental property in Jackson with unpaid utility bills. He noted if the City cannot collect from the former tenant, the unpaid utility bills fall back onto the property owner. Porter asked if there was a better option that could be looked at. He noted several surrounding communities where the City goes after the person that actually owes the debt. Porter asked if the City's current policy could be reviewed.

City Finance Officer Deb Mitchell explained unpaid electric bills cannot be assessed to a property owner's taxes. She said State Statutes allows cities to assess unpaid water and sewer bills to a property owner's taxes.

Porter concurred that State Statutes allow cities to assess unpaid water and sewer bills to a property owner's taxes. However, he said many other communities are not doing that because it is a deterrent to investment in the community.

Porter said the issue is about the policy of the City going after the landowner regarding unpaid utility bills. He noted the landowner did not create the debt; the tenant created the debt.

Porter went on to explain when he was recently notified about an unpaid water and sewer bill in April for tenants that moved out of a rental until in November. He said it's too late for him to track down the former tenants for any potential bills. Porter said it would be difficult for him to try and collect from a former tenant.

Mitchell explained normally the tenant's deposit for utilities covers most of the unpaid bill. She explained how a property owner can contact the City to see if anything is owed on a utility bill before the landowner sends the tenant's deposit back to them and if the deposit will cover what's owed. Mitchell said if there's an unpaid utility bill, the landowner could take the tenant's deposit and apply it to the unpaid bill.

Porter asked about difficulty in getting utility bill information due to data privacy laws.

Skaret said water, sewer and garbage is all public information.

Mitchell also explained if a tenant has unpaid utility bills and they are going to be disconnected, the City will call the landlord a week ahead of the disconnection to inform them of the delinquent bill and disconnection date. She said a lot of landowners call City Hall on disconnect day to see if their tenant had paid the bill. Mitchell said the City does that to try and help the landowner.

Mitchell said the City tries to watch out for the taxpayers. She said the City does everything they can to try and collect an unpaid utility bill from a tenant. Mitchell said the City will send them several bills, notes or try to call them.

Porter asked why the City doesn't use a collection agency.

Mitchell said the City does have a collection agency. She explained a portion of a bill the City is left with is every once and a while sent to a collection agency. Mitchell said the water, sewer and garbage can be sent to taxes so that way the City does collect what's due.

Porter said he contacted the Cities of Worthington, Fairmont, Lakefield and Windom and they all use collection agencies and haven't reported having any issues in being able to collect. He said he would like the Utilities Commission to at least review the options and do some research of what other communities are doing. Porter said he's not asking the City to change their policy, but he is asking the City to do some research.

Madden said Porter's question is a fair question and something that could be discussed in further detail.

Porter said what it comes down to is people are getting stuck with bills that's not their debt. He said the debt is owed by the party that signed up for that service and the City is seeking payment from a third party because the current State Statute allows the City to seek payment from a third party.

Phillips noted it's the taxpayers that actually owns the City utility. She said it's not the individual landowner who owns the utility. Phillips noted it's the City staff's responsibility to collect any unpaid utility bills.

Porter said the City has a lot more ability to collect from a tenant than the landlord has.

Phillips asked if the issue of landlords and utility bills could be tabled until the next Utilities Commission meeting. She said she would like information about how many delinquent bills have occurred in the past year for electric and water bills that the City has not been able to collect on so the Utilities Commission knows what the true impact is not only on the City as the owner of the utility, but also on landlords. Phillips said she would like to table action to get more real information.

PHILLIPS/JENNA SCHWARTZ moved and it was unanimously carried to table action on the issue of landlords and utility bills pending the compiling of information regarding delinquent utility bills the City has not be able to collect on during the past year and what the true impact is on the City as the owner of the utility and landlords.

RETURNING TO DISCUSSION REGARDING WATER ISSUES AT 712 SOUTH HIGHWAY

Street Superintendent Phil Markman explained when a heavy rain occurred on Wednesday night, May 19th, a pool of water developed on the opposite side of the street from the property at 712 South Highway. He said there was an unknown structure there that had an issue. Markman said with the other construction going on, the Street Department can't get in there at the moment to open up the storm sewer. He said it's a storm sewer issue. Markman said the Street Department is looking at putting a riser and installing a grated top on the intake and making an asphalt apron to accommodate more water. He said there's an issue with water coming down the hill and not being able to drain away fast enough.

Markman said the Street Department is also looking at doing some work on the side of the street where 712 South Highway is located. He said with the sewer project underway, the Street Department has to wait until the contractor is finished so they can get in there to do what they need to do. Markman said they plan to put a grate and an asphalt or concrete apron around the intake that will help keep debris clear from it and make it easier to maintain the street without the snowplows in the wintertime striking the intake. He said there is currently a beehive grate on the intake.

Tam Erickson asked if the intake can be made larger to accommodate more water.

Markman said that can't be done without first doing a study to install a bigger culvert. He said he would speak to City engineer Greg Mitchell about the possibility of installing a larger intake.

Markman noted the storm sewer system was having a difficult time keeping up with the unusually heavy rain that occurred on May 19th. He said the Street Department will keep an eye on the drainage, install a different grate on the water intake and open up another inlet to better accommodate the draining of water.

Tam Erickson noted the other request regarded the City paying the cost for connecting the house at 712 South Highway to the new sanitary sewer line passing by the property.

JENNA SCHWARTZ/MARTHALER moved and it was unanimously carried to table Erickson's request for the City to pay for the hook-up of the house at 712 South Highway to the new sanitary sewer line pending the Utilities Commission receiving cost information provided by Street Superintendent Phil Markman.

Tam Erickson thanked the Utilities Commission for their time.

START DATE OF \$50 PER MONTH CHARGE FOR AMI METER REFUSAL

Skaret noted some time ago the Utilities Commission set a fee of \$50 per month for those that did not wish to have one or both AMI meters for their property.

Skaret said there has been at least one person who has declined to have an AMI meter installed. He asked when does the City want to start charging the \$50 per month fee which has been approved?

Marthaler asked if the person refused having an AMI water meter or electric meter?

Mitchell said the person refused the installation of an AMI electric meter. She suggested calling the person one more time to let them know that about all the new AMI electric meters have now been installed and this is their last chance to change their mind otherwise the \$50 per month fee will begin.

Siepkner asked Boogerd how close the Electric Department is in having all the new AMI Electric meters installed.

Boogerd said 1,720 have been installed out of roughly 1,970, so there's about 250 more meters to be installed. Boogerd said he anticipates that all the new AMI Electric meters will be installed in the next few weeks with the exception of 10 or 12 meters that need to be moved from the inside of a residence to the outside.

Boogerd suggested sending a letter to the person refusing the installation of a new AMI Electric meter informing them that a \$50 dollar per month fee will be charged starting on July 1st, 2021.

Mitchell said a letter can be sent along with a phone call informing the resident about the monthly charge for refusing to install an AMI meter.

MADDEN/PHILLIPS moved and it was unanimously carried for the City to implement the \$50 per month charge for AMI Meter refusal on July 1, 2021 and to definitely make a phone call to the person so far who has refused to have an AMI electric meter installed at their property to inform them of the \$50 per month charge.

DEPARTMENTAL REPORTS

Electric Department

MRES Jackson Distribution Maintenance Foreman Jeremy Boogerd reported preparations are being made for the Downtown Underground Electric Project.

Boogerd said CE Power will be arriving soon to do electric-breaker cleaning.

Boogerd said 1,720 new AMI electric meters have been installed so far. He said the Electric Department installed a street light at the bottom of South Highway. Boogerd said a new employee, Dean Fuerstenberg, has started with MRES.

Boogerd said work was done at the Electric Department's maintenance yard. He said a bunch of old transformers have been sent off to be refurbished and some re-tanked. Boogerd said a new pole bunker was also constructed.

Boogerd said the Electric Department is really busy with utility locates due to all the projects getting underway.

Water Department

Water/Wastewater Superintendent Tony Oxborough reported the Minnesota Pollution Control Agency will be visiting the City for inspections.

Oxborough said the Minnesota Rural Water Association is assisting the City with smoke testing the sewer lines. He said for \$50 a block, the Minnesota Rural Water Association representative will blow white, non-toxic smoke through the sewer system.

Oxborough said if there's any holes, cracks or leaks, the smoke will expose itself in a basement, sump pump or naturally through the home's sewer vent as it supposed to. He said the smoke testing will be taking place on First, Second and Third Avenues, Thomas Hill, Maple, Linda, Becky, Merva, State, Jackson, Center Drive and Moore Street if possible. Oxborough said the smoke testing will be taking place on Tuesday, Wednesday and Thursday (May 25th, 26th and 27th, 2021).

Oxborough said he will contact the Fire Chief so the Fire Department is aware of the smoke testing of the sewer system.

Oxborough reported Duininck's has replaced the water main from Logan to Butler. He said on Thursday, May 27th, one of the two 4-inch water service lines that feed the High School will be updated. He said considering the rocks underground, Duininck's is doing a very good job of getting things switched over to new infrastructure.

As far as the installation of new AMI water meters, Oxborough said the City is purchasing 100 water meters through the City's distributor that are coming from the City of Minneapolis. He said the new meters have been sitting on the shelf for two years. Oxborough said the Water Department wants the meters on hand so when new water service lines are installed in homes, a new AMI meter will also be installed.

Oxborough said he ordered 400 AMI water meters but they won't arrive until October due to a shortage of microchips for the meters. He said the shortage of microchips wasn't due to Covid, but due to the ship that became stuck in the Suez Canal. Oxborough said through this whole process, the price for the new water meters are locked-in and the cost for the City is not going to go up. He said the City has received their third batch of large commercial water meters which will be installed as soon as possible. Oxborough said the Water Department is currently busy with all the construction that's going on.

Oxborough said there is basically 68 water service lines on South Street and the Water Department will have enough AMI meters available to install new meters at those homes. He noted there's also about 15 new meters to be installed along North Highway, so the Water Department should have enough meters to accommodate those installations.

Siepkner asked if the water meters coming from the City of Minneapolis are new meters.

Oxborough said they are brand new meters. He said the City is basically losing two years' worth of warranty. Oxborough said the new meters come with a 15-year warranty, 20-year prorated. He said the battery life on the meters is 20 years. Oxborough said it works out well that the arrival of the meters is staggered so in 20 years, not all the batteries in the meters will have to be replaced at the same time.

Oxborough also reported that the City's drinking water is going to be tested in a pilot study by SEH. He said a trailer will be brought in that will take the water pumped from the City's well, feed it into the trailer to try and optimize what the City has for its water quality.

Street Department

Street Superintendent Phil Markman reported with the street construction projects on North Highway and South Street, the contractor for Minnesota Energy Resources arrived today (May 24th) to install a new gas line ahead of the street contractor on South Street.

Markman said he spoke with the on-site foreman for Duinick's infrastructure crew. He said they have a crew coming in next week (first week of June) to take down trees that will be in the way for the reconstruction of South Street. Markman said there will be 23 or 24 trees that will be removed. He said the crew will top the trees and leave two to three feet of the stump. Markman said when underground construction crew arrives, an excavator will be used to remove the stumps as they go.

Markman reported the asphalt plant opened on May 24th in Worthington. He said patching will be done next week on the streets where there were some water main breaks over the winter.

Markman said the Street Department personnel will also be assisting the Water Department in the smoke testing of the sewer system.

Markman reported two of the four seasonal park employees have started working for the season.

Markman said a new (previously owned) pickup has arrived to be used in maintaining the City's parks. He said the pickup replaces the old pickup that had a head-gasket fail. Markman said the head mechanic at the maintenance facility deemed it wasn't worth repairing. He said the replacement pickup came from Zimmerman, Minnesota. Markman said the replacement pickup will be put into service at the end of this week or next. He said the other two seasonal park employees should begin working next week (first week in June).

Markman also provided a history of the work that has been done and the issues associated with the property at 712 South Highway.

Other:

New Texting System

Skaret informed the Utilities Commission members that the City now has a new texting system to contact utility customers facing utility shut-offs and disconnects.

Mitchell said the texting is part of the City's new system. She said in the past, Marcy Hassing in the City office has called people the day before their water or electric service will be disconnected. Mitchell said the text regarding disconnects can be sent out to those that need to receive them all at the same time. She explained the system will also tell City office staff who received the text messages and who did not. Mitchell said those without cell phones can also be sent a message and the system will inform the office staff if the utility customer received the message or not. She said it costs the City ten cents a message which is less expensive than having a staff person making phone calls. Mitchell said the text messages are more effective than a phone call because everyone looks at text messages.

ADJOURNMENT

With no further business, Siepker asked for a motion to adjourn.

MADDEN/PHILLIPS moved and it was unanimously carried to adjourn the Utilities Commission meeting at 5:31 p.m.

David A. Maschoff, Recording Secretary

