

May 3, 2022
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 3, 2022 with the meeting called to order by Mayor Wayne Walter. On the roll call, the following persons were present in-person, Mayor Wayne Walter and Aldermen Michael More, Jerome Palmer, Nathan Peterson, Marcus Polz and Dave Cushman. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Engineer Eric Hanson of HDR, Engineer Greg Mitchell of Bolten and Menk, Street Superintendent Phil Markman, Luke Ewald of Des Moines Valley Health and Human Services, Jackson County Sheriff Chief Deputy Kelly Mitchell, Sandy Phillips, Jackson Fire Chief Dave Bond, Larry Clymer, Kathy Tewes, City Clerk/Council Secretary Dave Maschoff, Pastor Russ Steele of the Jackson United Methodist Church, Joshua Schuetz of the Jackson County Pilot and Mathew Grisham of KKOJ/KUXX Radio. No one joined the meeting via Zoom or Teleconference. (Alderman Brandon Finck was absent.) (A quorum of the City Council was present.)

PLEDGE OF ALLEGIANCE

Mayor Walter announced the Pledge of Allegiance would be recited before the City Council meeting was called to order. All those attending recited the Pledge of Allegiance.

CALL THE MEETING TO ORDER

Mayor Walter 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.

CONSENT AGENDA

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

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

Unscheduled Guests:

Mayor Walter asked if there were any unscheduled guests in the Council Chambers. He again asked if there were any unscheduled guests. One more time Mayor Walter asked if there were any unscheduled guests.

Seeing none and hearing none, Mayor Walter said the Council would proceed with the Council Discussion items.

Council Discussion items

APPROVAL OF THE AIRPORT RUNWAY RECONSTRUCTION AND RELOCATION PROJECT BIDS

Engineer Eric Hanson of HDR reported bids for the Airport Runway Reconstruction and Relocation Project were opened on Wednesday, April 27th.

Hanson said there were three bidders. He said two of the bidders were close to each other with their bids and the third was about 10 percent higher. Hanson said the two low bids were within about a percent to a percent-and-a-half of the engineer's estimate.

Hanson explained the project was bid as a concrete alternate and an asphalt alternate according to the desires of the Airport Commission. He said the low bid for asphalt was from Svoboda Excavating of Jackson in the amount of \$4,469,810 and Svoboda's alternate bid for concrete was \$4,720,356.25. Hanson said the cost was about \$250,000 more for concrete instead of asphalt.

Hanson said the Airport Commission really wanted concrete. He explained the Airport Commission asked him to contact the FAA (Federal Aviation Administration) to see if the City could choose the concrete option if they so desired.

Hanson explained a life cycle cost analysis was conducted comparing the expected life of concrete compared to an asphalt pavement. He said the expected life of a concrete pavement is about 40 years. Hanson said the asphalt pavement had to be adjusted to also get 40 years of life from it. He said obviously there's a lot of maintenance involved with asphalt. Hanson said an asphalt pavement will not make it for 40 years so there will have to be some sort of rehabilitation along the way. He said in the calculation, conservatively, there would need to be a mill and overlay with an asphalt runway when it was 24 years old.

Hanson said the long and short of it, concrete ended up being a fair amount less expensive over the life of the project. He said the FAA agreed with the results of the life cycle cost analysis and deemed that the concrete alternative was the best use for federal funds and eligible for federal funding.

Hanson said Svoboda Excavating had the low bid either way for asphalt or concrete. He said the Airport Commission's recommendation was to award the bid to Svoboda Excavating and the surface of the runway would depend on the FAA's approval on the surface type.

Hanson said based on the new information that was received from the FAA on May 3rd, the Airport Commission's recommendation would be to award the project to Svoboda Excavating with the concrete option for \$4,720,356.25.

Skaret noted the cost split for the airport project is anticipated to be paid for with 90 percent Federal Funds, 5 percent State and 5 percent local. He said approving the concrete option would increase the local share by about \$13,000 and bring the local share to \$255,372.81.

Polz asked Hanson if MnDOT (Minnesota Department of Transportation) would participate in the cost sharing for concrete verses asphalt.

Hanson said MnDOT would participate in the cost sharing for concrete. He said MnDOT participates in FAA eligible items. Hanson said in the past if a project is deemed FAA eligible, it's deemed MnDOT eligible.

Mayor Walter asked for a motion.

POLZ/PALMER moved and it was unanimously carried to approve the low bid of \$4,720,356.25 for the concrete option from Svoboda Excavating of Jackson, Minnesota for the Airport Runway Reconstruction and Relocation Project.

Skaret said in meeting with Svoboda Excavating, they are expecting to start on the airport project in August or September.

Hanson said Svoboda's indicated they plan to start sometime in mid to late August depending on the weather and their schedule. He said Svoboda's definitely intends on starting dirt work this fall.

Skaret noted starting work on the Airport Project this year will have some implications on those renting the farmland at the airport, particularly Matt Benson.

Hanson said he spoke with Matt Benson on May 2nd. He said the new runway will go through some of the farmland at the airport that Benson has been renting for the past few years. Hanson said surveyors have staked a line to not plant anything west of the line and that planting can take place east of that line. He said a rough estimate indicates that 18 to 20 acres will be taken out of ag production for this year. Hanson said some of that will probably be able to be farmed again next year. He explained once the current runway is turned into a taxiway, there will be some more land on the west side that will be able to be turned into farmable ground. Hanson noted that it's been a wet spring and nothing has been planted yet this year on the farm land at the airport.

APPROVAL OF ENGINEERING ONSITE OBSERVATION AND CONSTRUCTION ADMINISTRATION AGREEMENT WITH HDR

Engineer Eric Hanson of HDR explained there are a lot of FAA rules and details that need to be followed during an airport project. He explained HDR will have a staff person on site fulltime during the airport runway construction to do on-site observation, materials testing and surveying for the end of this year and partially carrying over into 2023. Hanson said HDR has proposed a 120 working day contract. He said HDR plans to have one of their staff members on site everyday to watch the contractor and make sure they're following the plans and specs, FAA rules and make sure safety measures are in place because the existing runway is going to be open while the new runway is under construction.

Hanson noted the cost for the Engineering Onsite Observation and Construction Administration Agreement is also 90 percent funded by the FAA with 5 percent funded by MnDOT and 5 percent by local funds.

Palmer asked what the cost of the contract would be with HDR.

Skaret said the cost would be \$396,402.40

PETERSON/CUSHMAN moved and it was unanimously carried to approve the Engineering Onsite Observation and Construction Administration Agreement with HDR

AGREEMENT FOR CONSTRUCTION ADMINISTRATION SERVICES FOR RUNWAY SHIFT AND PARALLEL TAXIWAY AND CONNECTORS PROJECT

Skaret noted this agenda item was actually the same as the previous agenda item so no action was needed.

LUKE EWALD-MnDOT ACTIVE TRANSPORTATION PROGRAM GRANT SOLICITATION

Luke Ewald of Des Moines Valley Health and Human Services said a couple of weeks ago the Minnesota Department of Transportation released a grant application. He said the focus of the grant is to create an Active Transportation Program that would focus on parks and trails within Jackson County. Ewald said the Active Transportation Program would include the Jackson County parks of Brown and Anderson Parks. He said those would be the key County parks that would be included in the plan.

Ewald explained the proposed transportation program through the grant would be a joint effort. He said the reason they are focusing on the City of Jackson and not just the County is because the City already has an existing trail network that's established and the City has an Active Living Plan and a Safe Routes to School Plan. Ewald said there are some nice plans that are already put together that will kind of help compliment the proposed Active Transportation Plan. Ewald said the plan is to connect the City of Jackson to Brown and Anderson County Parks with the trail. He said plans are to build trails in Brown and Anderson Parks to connect with the Iowa border at Mini Wakan State Park and to complete any gaps or barriers that exist in those County Parks.

Ewald explained the Active Transportation Program Grant will need to be filled out and is due by June 10th, 2022. He said letters of support are needed from the City of Jackson and Jackson County Commissioners. Ewald said he would be meeting with the County Commission to explain the grant application and Active Transportation Program at the Commissioners' May 17th meeting.

Ewald said there is no cost to submit the grant application. He said if the grant funding is awarded, MnDOT will provide a consultant to assist in the planning process.

Ewald said the Friends of the Jackson County Trails Committee will probably be one of the main groups that will be spearheading the Active Transportation Program effort. He said the City of Jackson will play a role and noted that City Administrator Skaret attends the Trails Committee meetings and provides input. Ewald noted the Trails Committee is made up of a nice variety of people. He said the Trails Committee is made up of community members, Sheriff Shawn Haken, members from Public Health and the School District. Ewald said there's a good group of people that can help take this project on.

Ewald said the grant award would be announced sometime in July or August and work would begin around September 1st. He said it takes about five to eight months to prep up for the program.

Ewald said some of the benefits he and the Trails Group see from the program include regional significance. He pointed out the Trails Group has been working on regional significance for this area for the past 10 to 15 years. Ewald said they have been looking at the economy and have worked to attract people to come to the community. He said he knows there's some trail segments within the County Parks, but they're not all connected and it would be nice to fill in those gaps.

Ewald said the Active Transportation Project Plan will help develop a plan which can then be used to seek grant funding through State, Federal or other grant programs which will help get some trail development going within the next few years.

For this round of grant funding, Ewald said the State allocated about \$400,000. He said for this year, four communities will be awarded a grant based on population. Ewald said if Jackson does not receive the grant this year, it can be applied for again next year.

Ewald said he wanted to make the Mayor and City Council aware of this project and was requesting a letter of support to pursue the grant. He said he will be making a similar presentation and request to the Jackson County Commissioners on May 17th.

Ewald said the Trails group that meets monthly will be spearheading the project. He noted Jackson has the trail infrastructure already created. Ewald said it's always been a goal to connect the City of Jackson to the County Parks with a trail and also develop the trails within the County Parks.

Skaret noted the City would be the applicant for the Active Transportation Program Grant and could also submit a letter of support as well.

Ewald said he could help with the grant application. He said there's been a lot of people using the County Parks since the Covid pandemic. Ewald said the campers bring their bikes and they're running and walking. He said development of a trail between Jackson and the County parks would bridge a gap and be a great opportunity for the community to engage with campers. Ewald said because of what Jackson already has to offer with their trails, he thinks Jackson has a pretty good shot of being awarded a grant.

Ewald said the City would not have to provide any funding for the program. He said funding would be provided through the MnDOT grant.

POLZ/PETERSON moved and it was unanimously carried to authorize the City to apply for the Minnesota Department of Transportation Active Transportation Program grant.

Ewald thanked Mayor Walter and City Councilmembers.

UTILITIES COMMISSION RECOMMENDATION: LARRY CLYMER SEWER REPAIR BILL

Skaret said there was a very unfortunate situation with Mr. Clymer and his sewer.

Skaret provided background history regarding the situation which occurred in February of this year. He explained Clymer's business, Jackson Cycle on Springfield Parkway, has a force main for the sewer that runs underneath Springfield Parkway and connects to a City manhole that's located on school property.

Skaret explained back in February with the school's construction project, the contractor unearthed about a foot-and-a-half of dirt that exposed the sewer line to the cold temperatures. He said the sewer line froze which caused the pump for the force main to burn out. Skaret said Clymer ended up with a bill of \$4,248 from Countryside Plumbing and Heating to repair the pump.

Skaret said Clymer approached the School District, the contractor and the City about the situation. He said the City turned a claim into the City's insurance company, the League of Minnesota Cities Insurance Trust, to determine if the City had any liability in the situation. Skaret said the insurance adjuster, DeAnn Miller, came down to Jackson and met with Clymer, himself and Street Superintendent Phil Markman. He said Miller looked over things really carefully. Skaret noted a copy of a letter from the League of Minnesota Cities Insurance Trust that was included in the Mayor and City Councilmembers packets indicating the City does not have any liability in this case and the Insurance Trust was denying the claim.

Skaret said Clymer disagrees with the determination from the League of Minnesota Cities Insurance Trust. He said Clymer took the matter to the Utilities Commission who met on April 25th. Skaret said there were a lot of details and there's a lot of history on the property going back to 1970 along with a building on a neighboring property belonging to Mr. (Dan) Pike.

Skaret said after a lot of conversation and discussion, the Utilities Commission recommended to the City Council to reimburse Clymer \$2,100 for part of the cost of the repair to his lift station pump.

Skaret said City Attorney Brad Anderson reviewed the situation and issued a letter with his legal opinion on the matter. He said City Attorney Anderson's opinion is to not approve the Utilities Commission's recommendation for a number of reasons primarily because of the precedent this could set.

Skaret said he knows every situation involving private water or sewer line repairs is going to be unique in its own right. But Skaret said it would set a precedent and it could open the gates to potential problems later on. He said the precedent could be very problematic.

Skaret said there's also the issue of every expenditure the City makes has to go towards a public purpose, public benefit or public liability. Skaret said the Insurance Trust has determined that there's not a liability.

Utilities Commission member Sandy Phillips said she wanted to speak about the discussion that occurred at the April 25th Utilities Commission meeting. Phillips said the discussion was very detailed and quite lengthy.

Phillips said she believes the recommendation from the Utilities Commission was not that the City was liable for the incident that happened this past winter with Mr. Clymer's septic. She explained it went back farther to when the line was put in. Phillips said City staff was aware that the septic line was going to be put under Springfield Parkway into a casing that the City had placed specifically for the purpose of getting utilities across Springfield Parkway. Phillips said the City Department Head was also aware that Mr. Clymer's line would be going across public property and going into the main.

Phillips said one of the first questions that was asked of current City employees was before a permit is approved by the City, do they know where that service is going to be connected into the City's system and do they know how it's going to get there. She said the answer was "yes".

Phillips said she hates to use the word "assume" but one could assume that the City Department Head back in 2013 knew exactly where that line was going to be connected, that it was going across public property and that it was going under Springfield Parkway into a system that the City had provided.

Phillips said she believes the Utilities Commission felt that while the City wasn't necessarily guilty of, or responsible for, it had some culpability in that decision to recommend and approve a permit for Mr. Clymer to put the line where he did. She said culpability means that you can't be held blameless, that you carry some responsibility for what happened. Phillips said she thinks, in this case, because the Department Head signed the permit and knew where the line was going that the City is culpable for some responsibility for where that line went. She said if the Department Head did know where the line was going, he was negligent because he certainly should have. Phillips said she thinks that's what the Utilities Commission based their decision on, not that the City was necessarily liable for the current action, but they were culpable for where that line was placed to begin with.

Cushman asked Phillips if the City is culpable, wouldn't the contractor also assume some of that responsibility by disabling some of that dirt. He noted the dirt was there for eight years and everything was good with the line under those premises not knowing that 18 to 20 inches of dirt was going to be removed.

Phillips said she would say that's true. She said she can't control a contractor. Phillips said what was brought to the Utilities Commission was a request and the Utilities Commission found there was some culpability by the City for where that line was placed to begin with.

Cushman asked Clymer what the alternative would have been when the line was originally installed.

Clymer explained the whole plan began in about 1993 when Springfield Parkway was torn up from end to the other and there was a lot of sewer and electrical work done.

Clymer said the City came to him at that time and informed him that he would have to hook up to the City sewer at some point in time. He said he was told that a piece of PVC would be put under Springfield Parkway to allow him to run sewer through the PVC line over to the manhole at Riverside Elementary School. Clymer said that was in 1993 and they already had the plans to do that. He said there was no alternative presented to him at the time.

Clymer said following up with his discussions with Svoboda Excavating, the obligation of the City to provide a sewer hook-up came from a program of the Mayor at that time which was approved by the City Council. He explained the program was where all of the non-code (septic) violations had to be fixed. Clymer pointed out his sewer line across Springfield Parkway was well in advance of when the septic program started. Clymer said it was already known at that time that his sewer line would be run underneath Springfield Parkway under the school's property to the manhole. He asked why was the sewer line installed in that fashion.

Clymer noted if the City would have ran a sewer line down Springfield Parkway for him to hook into, the sewer line would have been too low and the City would have had to install a lift station which would have been expensive. He said nobody will say it for sure, but the thought may have been to run his sewer line across Springfield Parkway to the manhole on the school's property for a lot less money then installing a lift station. Clymer said it makes sense to anybody who was spending money. He said the disadvantage to him is that he had to install a grinder pump. Clymer said he installed a grinder pump in order for him to hook up to the manhole that was located on the school's property. He said no one ever said to him that he couldn't do that until one day he talked to Jackson County Central School Superintendent Barry Schmidt who made it very clear that his sewer line can't run under school property. Clymer said running the sewer line under Springfield Parkway to the manhole on the school's property looked like a really more practical way to do it. Clymer said he isn't a sewer expert by any means and he's not a legal expert so he just did what he was told.

Clymer said now the problem comes up. He said now we know why you don't run a sewer line under public property because somebody wants to do a construction project there and part of that project caused his sewer line to freeze. Clymer said when the line froze it burned out his grinder pump. He said that's why he's looking for some help.

Following further discussion, Polz made a motion.

POLZ/CUSHMAN moved to approve the Utilities Commission's recommendation for the City to pay \$2,100 dollars to help Larry Clymer with his repair bills associated with his pump and to leave it up to the City Attorney and City Administrator to figure out what the legalities to that would be.

Palmer said he thinks it's illegal to spend City money on something like that and doesn't know if a motion can be made to do that.

Skaret noted that City Attorney Anderson has already made a legal determination on that.

City Attorney Anderson agreed and said the City could be held to task for that. He also noted the precedent it could set.

City Attorney Anderson said Jackson is a town of good neighbors. He said there's a lot of water and sewer lines and utility lines, that don't have any easements in this town. He said people got permission from their neighbor and installed a utility line and moved on. Attorney Anderson said in Clymer's case, this was a terrible miscommunication. He said the School District has no record whatsoever that Clymer's sewer line or the other property owner's line was even on the school's property. Attorney Anderson said where will the City draw the line regarding compensating citizens for something unfortunate that happened to them but still, they didn't follow the rules, so to speak, didn't do everything they needed to do in the installation. He asked where do you draw that line?

Peterson said he feels for Clymer and agrees with what everybody has said. He said his biggest fear is that the City opens up previous claims of personal lines that need to be repaired from past or future and requests for reimbursements from the City. Peterson expressed concerns of setting a precedent and this could be a whole can of worms the City opens.

City Attorney Anderson said approving paying \$2,100 to Clymer for the repair of his pump is not a proper public expense that the City should be authorizing. He said the City Council can do it but it might not be legal and the City may get called on it by the auditor, State or whoever. Attorney Anderson said it's his legal opinion that the City can't make that payment to Clymer. He said that doesn't mean the Council can't make the motion and make the payment, but the City may have trouble down the road.

Palmer said he agrees with Phillips. He said maybe there's someplace that money may be available to help Clymer whether it's the EDA or some other source. Palmer said it would be a good thing to look at.

Cushman asked if Polz's motion could be amended to find an organization to pay the \$2,100.

Polz said he would amend his motion.

Cushman said he would second Polz's amended motion.

Polz called for a vote.

POLZ/CUSHMAN moved and it was unanimously carried to amend Polz's motion to find money to help Clymer with his expenses regarding the repair of his sewage pump.

Mayor Walter then asked for a vote on the amended motion.

POLZ/CUSHMAN moved and it was approved on a vote of 4 to 1 for the City to find money from outside the City's umbrella to help Larry Clymer with his expenses of \$2,100 for the repair of his sewage pump.

Voting in favor of the motion were Aldermen Michael More, Jerome Palmer, Marcus Polz and Dave Cushman.

Voting against the motion was Alderman Nathan Peterson.

Clymer thanked the City Councilmembers for their consideration. He said he appreciates what the City can do for him. Clymer said he never wants to say that the City doesn't help him out in many circumstances. He said they have in the 44 years that he's had his business on Springfield Parkway. Clymer said the City has been there for him at different times and he appreciates all of it. He said without Covid, things would not be as bad as they are and he would have just paid this bill and went away with it. But, Clymer said it's not like that right now and this is tough. He said he appreciates it.

APPROVAL OF THE 2022 STREET AND UTILITIES IMPROVEMENT PROJECT PLANS AND SPECIFICATIONS AND AUTHORIZE THE SOLICIATION OF BIDS

Engineer Greg Mitchell of Bolton and Menk distributed plans and specifications for the 2022 Street and Utilities improvements.

Mitchell said the 2022 Street and Utility Improvement Project includes Riverside Drive from the west entrance of Ashley Park to State Street, Emily Street from State Street to Cush and River Street from South Highway to Ashley Street. He said the project on River Street is a project that will be done in conjunction with the County. Mitchell said the City is doing the utility work on River Street and the County will be doing the surface improvements. He noted the County is going to delay their project on River Street by one year and the City is going to do the same but still wants to bid it together as an overall package. Mitchell said the utility work on River Street will be bid as a separate schedule that will be completed in 2023.

Mitchell said Riverside Drive and Emily Street are both complete reconstructions. He said Riverside Drive will be reconstructed with curb and gutter and bituminous pavement at a 32-foot width and the Emily Street reconstruction is going to include curb and gutter and bituminous with a 26-foot width from Highland Street down to State Street. Mitchell said from Highland to Cush Street will be a 36-foot wide pavement.

Mitchell said also added to the 2022 projects is the resurfacing of Northridge Drive and Westridge Drive. He said the pavement condition is pretty severe on Northridge Drive which was paved in the early to mid-80's. Mitchell said the existing pavement is beyond its useful life. He said the plan it to pick up the existing bituminous, haul it off site, and then repave it. Mitchell said since work will be done on Northridge Drive, they are going to do the same thing on Westridge Drive.

Cushman asked if the curb would stay in place on Northridge and Westridge Drives.

Mitchell said the curb will stay in place other than for a couple 15 to 20 foot spots where it appears some surfaces have settled over time. He said those pieces will be repaired so the drainage works like it's supposed to and make it look better.

Mitchell said he was looking for a motion from the City Council to advertise and open bids later this month (May).

PETERSON/POLZ moved and it was unanimously carried to approve the 2022 Street and Utilities Improvement Project Plans and Specifications and authorize the solicitation of bids.

APPROVAL OF THE DOWNTOWN ALLEYS AND UTILITIES IMPROVEMENT PROJECT PLANS AND SPECIFICATIONS AND AUTHORIZE THE SOLICITATION OF BIDS

Engineer Greg Mitchell of Bolton and Menk handed out plans to Mayor Walter and City Councilmembers regarding the Downtown Alleys and Utilities Improvement Project.

Mitchell explained the project consists of reconstructing the pavement in the alleys downtown from Bailey Street up to Grant Street, between First and Second Streets and the alleys between Second and Third Street for a total of eight alleys in the downtown area.

Mitchell said water main will also be replaced in the two alleys on the south between Bailey and White Streets between First and Second and then Second and Third Streets.

Mitchell noted there's also been increased maintenance issues with the sanitary sewer line behind the Pizza Ranch. After running a camera through the line and seeing some of the problems that have developed, it was decided to also replace the sanitary sewer in that block because it's a maintenance headache and now would be the time to do it.

Mitchell said the surface in the alleys will consist of seven inches of concrete pavement with 12 inches of aggregate base. He said there might be some things that are found in those alleys as the project progresses. Mitchell said there's always some surprises involved especially in the older part of town. He said those situations will have to be dealt with as they come upon them.

Mitchell said action was being sought from the City Council to approve the plans and specifications and authorize going out for bids.

PETERSON/PALMER moved and it was unanimously carried to approve the plans and specifications and authorize the solicitation of bids for the Downtown Alleys and Utilities Improvement Project.

RESOLUTION NO. 27-0522 AMENDING BOUNDARIES OF TIF DISTRICT 3-4

Skaret explained TIF (Tax Increment Financing) District 3-4 is the Sunset View Phase II Subdivision. He said Tax Increment Financing was utilized to construct the infrastructure in the Sunset View Phase II Subdivision. Skaret said, in short, the City borrowed the funds and then is repaying the debt with revenues derived from the increased tax revenues from the new homes.

Skaret said in order to utilize the TIF dollars, the State imposes income limits for the buyers of the lots. He said if the buyers do not meet the income limits, then that parcel or parcels need to be removed from the TIF District. Skaret said the City Council took similar action earlier last year with the previous three lot sales.

Skaret noted right now, as it stands, the TIF revenues are paying the debt service so removing this parcel from the TIF District should not impact the debt service payments whatsoever.

Skaret said it's action the City Council must do regardless if the Council wants to or not.

CUSHMAN/MORE moved and it was unanimously carried to approve Resolution No. 27-0522 amending the boundaries of TIF (Tax Increment Financing) District 3-4.

NORTH HIGHWAY BRIDGE REPAIR QUOTE 2022

Skaret explained the bridge crossing the river on North Highway is a City owned bridge. He said the Ashley Street bridge is a County owned bridge.

Skaret said the County does the bridge inspections because the City does not have any certified bridge inspectors. He said the most recent inspection showed the North Highway bridge is in need of a strip seal repair on the east side of the bridge. Skaret showed Mayor Walter and Councilmembers a sample of what the seal looks like. He explained one side of the seal connects to the road and the other side connects to the bridge with a rubber seal in between. Skaret said the rubber seal is failing. He explained the rubber seals get full of sand and salt, expand and contract, and over time that causes the seals to fail.

Skaret said the County is willing to make the repairs for the City. He said the City would have to pay for materials and labor. Skaret said the cost of the seal is \$6,369 and the cost for labor, materials and equipment would be \$1,680 for a total of \$8,049. He said no jackhammering or any heavy-duty equipment is required to make the repair.

Skaret said there's similar seal on the west edge of the bridge and eventually that seal is also going to need to be replaced at some point. He said the County Engineer recommended the City purchase a strip seal for the west side of the bridge so a seal will be on hand when it needs to be repaired. Skaret said the cost for the additional seal would be \$6,369.

Peterson asked why both seals aren't replaced at the same time and be done. Skaret said because the west seal is still functional.

Peterson asked if there was an estimate of when the west seal will need to be replaced.

Skaret said the County Engineer said he thinks the west seal will need to be replaced within ten years.

Cushman asked about the need to purchase a second seal now if the west side seal is still functioning.

Skaret said he believes the thought was that the west seal will have to be replaced eventually and to have a seal on hand as prices always seem to go up. He said the thought was that it would be more cost effective to purchase two seals and have one on hand when the west seal needs to be replaced.

Cushman noted the total cost of the project would be about \$14,000.

Skaret said if only one seal was purchased the total cost of the project would be \$8,049 including materials and labor. He said when the other seal is replaced in the future, there will also be material and labor costs.

Cushman asked Street Superintendent Phil Markman if there would be room at the City/County Maintenance Facility to store the extra seal for up to ten years.

Markman said room would be available.

Peterson asked if the seal would deteriorate over time in storage.

Markman said it wouldn't deteriorate inside a heat-controlled setting in the City/County Maintenance Facility. He said it wouldn't be any different than if the seal was stored at the distributor's storage facility.

PETERSON/POLZ moved and it was approved on a 4 to 1 vote to approve the County engineer's recommendation to repair the seal on the east side of the North Highway Bridge for an estimated cost of \$8,049 and to purchase an additional strip seal for \$6,369 for the west side of the bridge.

Voting in favor of the motion were Aldermen Michael More, Jerome Palmer, Nathan Peterson and Marcus Polz.

Voting against the motion was Alderman Dave Cushman.

CITY OF JACKSON DEER HUNT

Skaret explained City Hall has recently received several complaints about the seemingly increasing number of deer in town.

Skaret said it could be speculated that the increase in deer populations could be due to the string of relatively snow-free winters, or the deer following the river or people in town feeding the deer.

Skaret noted there are communities, such as Blue Earth, New Ulm and Mankato, that actually have a City deer hunt on City property. He pointed out it's bow and arrow only.

Skaret said there's a lot of decisions that would have to be made if the City of Jackson was going to have a deer hunt on City owned property. He said a decision would have to be made by May 6th because the Department of Natural Resources (DNR) is in the process of finalizing their hunting regulations and getting their hunting booklets ready for the 2022 hunting season.

Skaret said the City Council could think about a deer hunt in the future. He said some of the decisions that would have to be made include where hunting would be allowed, how many permits would be allowed and whether the hunt would be allowed for part or all of the State archery deer hunting season. Skaret said the Council would also have to decide which City property hunting would be allowed on. He said the Council would also have to decide if tree stands would be allowed on City property.

Kathy Tewes, who resides on Logan Avenue and has also lived on North Sverdrup, said the deer are a problem. She said they're very destructive. Tewes said deer strip a garden. She said she's seen up to seven deer in yard at one time. Tewes said the deer are a constant problem. She said deer are all over town. Tewes said it's been a problem for years and has become progressively worse.

Polz said he would agree with Tewes. He said obviously the sooner the City can do something the better.

Mayor Walter said he would love to see a hunt in the City of Jackson. He noted there are already areas in the City of Jackson where archery deer hunting is allowed.

Palmer pointed out those that do archery hunting are looking to harvest a buck and not a doe. He said the permitting for a deer hunt on City owned property would require the hunter to harvest a doe with their permit. Palmer said that could help.

City Attorney Brad Anderson suggested if the City Council approved an archery deer hunt, the DNR could assist and provide rules on what other communities have done.

Skaret said he would check with the DNR to see if they can offer some guidance.

POLZ/PETERSON moved to approve a Citywide Deer Hunt with approval and guidance from the DNR (Department of Natural Resources) and other administration.

Cushman asked when the deer hunting would be taking place.

Skaret said archery deer season is from September 17th through December 31st. He said deer hunting in the City could extend the whole period of time. Skaret said hunters would have to come to City Hall to obtain a permit. He said archery hunting could be allowed on such areas as Benes Park or possibly the dump grounds.

City Attorney Anderson noted hunters could not go on other people's property without their permission.

Peterson asked if the special archery hunting would only be for one year.

Skaret said the deer hunt would be reviewed on an annual basis.

Discussion ensued regarding the logistics of an archery deer hunt within the City limits. Items such as safety, how hunters would retrieve a deer on someone's private property if the deer runs from the point of where it was shot and rules regarding field dressing were discussed.

Skaret said a separate committee could be formed to hammer out the details for a City archery deer hunt.

Mayor Walter suggested to Polz having a new motion that archery hunters can hunt on City property that's currently allowed now. He said no place else, but where hunting is already allowed and two does only could be harvested. Mayor Walter said most of those rules are already in place. He said there would be no changes other than hunters would harvest does only.

Following further discussion, Polz said he would withdraw his original motion and submit a new motion.

POLZ/PETERSON moved and it was unanimously carried that for this current year, the City proceed with existing rules with the City offering tags to harvest two does on areas where archery deer hunting in the City is currently allowed, hunters need to come to City Hall to obtain a hunting permit and also that a committee be formed to review Citywide hunting rules going forward after this year.

Tewes thanked the Mayor and City Councilmembers for their action regarding the deer problem.

RESOLUTION NO. 29-0522 SUPPORTING LGA FORMULA PROPOSAL AND FUNDING INCREASE

Skaret explained one of the Coalition of Greater Minnesota Cities legislative priorities at the State Capital in St. Paul is pushing for a \$90 million increase in the appropriation for Local Government Aid (LGA).

Skaret said currently Local Government Aid makes up about 40 percent of the City of Jackson's General Fund Budget so the proposed legislation is a pretty big deal for the City. He said the Coalition of Greater Minnesota Cities is also looking at some reforms to the Local Government Aid Formula that would be more reflective of the realities in Greater Minnesota.

Skaret said if the proposed legislation regarding LGA would be approved, the City of Jackson would probably see a \$200,000 increase in its Local Government Aid which would help immensely.

Skaret said he was looking for a resolution of support for the LGA formula proposal and funding increase. He said the resolution would be then sent to the various legislators.

PETERSON/MORE moved and it was unanimously carried to approve Resolution No. 29-0522 supporting the Local Government Aid Formula Proposal and Funding Increase.

APPROVE UPDATED CITY BOARDS, COMMISSIONS AND COMMITTEES LIST

Skaret reported City Clerk Maschoff updated the City Boards, Commissions and Committees list reflecting the changes with Jerome Palmer filling former Alderman Chris Vee's Ward One City Council seat.

POLZ/CUSHMAN moved and it was unanimously carried to approve the updated City Boards, Commissions and Committees list.

MAY 2022 BIKE MONTH PROCLAMATION

Mayor Walter said he had a Bike Month Proclamation to read.

Mayor Walter read:

***WHEREAS**, The City of Jackson is proud and honored to have been designated a "Bicycle Friendly Community" by BikeMN and the League of American Bicyclists in 2018 and upgraded to "silver" status in 2022; and*

***WHEREAS**, The City of Jackson has a rich history of promoting bicycling and active living; and*

***WHEREAS**, The City of Jackson has a strong bicycling and pedestrian infrastructure system in place to enable people to walk and bike to work, school, and for recreational purposes; and*

***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 2022; and*

***WHEREAS**, May 16th- 22nd, 2022 is "Bike to Work Week" and "Bike to Work Day" is May 20th; 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 eight 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*

NOW THEREFORE, I, Wayne Walter, Mayor of Jackson, Minnesota, do hereby proclaim May 2022 as Walk and Roll Month in Jackson, Minnesota, and I urge all residents to join me commemorating National Bicycle Month.

Signed this 3rd day of May, 2022

Mayor Wayne Walter

Other:

City Administrator Matt Skaret

Thank-you to Sentence to Serve for cleaning up the river banks

Skaret said he wanted to thank the Jackson County Sentence to Serve for cleaning up the river banks in Jackson. He said they hauled out a lot of garbage and it's looking a lot better along the river banks.

Minnesota City Managers Association Conference

Skaret noted he would also be attending the Minnesota City Managers Association Conference May 4th through the 6th. He said he would be leaving for the conference at noon on Wednesday and returning late on Friday afternoon.

ADJOURNMENT

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

PETERSON/MORE moved and it was unanimously carried to adjourn the City Council meeting at 8:12 p.m.

David A. Maschoff, Council Secretary

Wayne Walter, Mayor

