

**JACKSON, MINNESOTA
November 5, 2020**

The Jackson City Council met in regular session in the Council Chambers of City Hall and also by Teleconference and Zoom at 5:00 p.m. on Thursday, November 5, 2020 with the meeting called to order by Mayor Wayne Walter. (The first regular City Council meeting of November was held on Thursday, November 5th, 2020 because of the General Election being held on Tuesday, November 3rd, 2020.) On the roll call, the following persons were present in-person, Mayor Wayne Walter and Alderman Larry Anderson. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Street Superintendent Phil Markman, Engineer Greg Mitchell of Bolton and Menk, Jackson County Sheriff Shawn Haken, Tom Brooks, Cheryl Brooks, Jackson County Historical Society Director Michael Kirchmeier, Jackson County Historical Society Vice-President Mark Titus and City Clerk/Council Secretary Dave Maschoff. Also attending via Teleconference and Zoom were Alderman Brandon Finck, Alderman Jeffrey Gay, Alderman Nathan Peterson and Justin Lessman of the Jackson County Pilot. (Aldermen Dave Cushman and Matt Madden were absent.) (A quorum of the City Council was present.)

PLEDGE OF ALLEGIANCE

Mayor Walter said 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 Wayne Walter called the regular meeting of the Jackson City Council to order. He said the roll call showed Aldermen Jeffrey Gay, Nathan Peterson and Brandon Finck were joining the meeting via ZOOM and Alderman Larry Anderson was presence in-person. Mayor Walter said Aldermen Matt Madden and Dave Cushman were absent.

There were no Public Hearings, Bid Lettings or Open Forum.

CONSENT AGENDA

ANDERSON/FINCK moved and it was unanimously carried to approve the Consent Agenda as presented.

Unscheduled Guests:

Tom and Cheryl Brooks

Cheryl Brooks said she and Tom were wondering where the City Council was at regarding having a meeting with the landowner of 712 Highway 71 South. Brooks noted the City Council talked about meeting with the property owner at their October 20th meeting and was wondering if that meeting occurred or what the status was of scheduling a meeting.

Mayor Walter said he understood that the property owner of 712 Highway 71 South has been out of town and was scheduled to arrive back in Jackson sometime on November 5th. He said City Attorney Brad Anderson has contacted the property owner and will set up a time for a meeting.

Cheryl Brooks said she and Tom met with Jackson County Sheriff Shawn Haken on the afternoon of November 5th. She said Sheriff Haken said he has sent all the information regarding complaints against Mike Erickson at 712 Highway 71 South to City Attorney Brad Anderson. Brooks noted Sheriff Haken also outlined what steps the Brooks' could take at this point. Brooks said she and Tom are very willing to appear in court to voice their grievances. She said if they can help get the situation resolved, they will be there. Brooks said besides her and Tom, many others are also very willing to get going on this and get it resolved.

Mayor Walter thanked Tom and Cheryl Brooks.

Council Discussion Items

JACKSON COUNTY HISTORICAL SOCIETY PRESENTATION

Mark Titus, Vice President of the Jackson County Historical Society along with Jackson County Historical Society Director, Michael Kirchmeier were on hand to give a presentation about the Historical Society.

Titus thanked the Mayor and Council on allowing them to give a presentation. Titus said as far as he knows he doesn't think anyone from the Historical Society has ever met with any of the City Councils. He said the Historical Society works closely with Jackson County because they are the main benefactor. Titus said the Historical Society thought they would meet with the City Council to tell them what they're all about. He said they also wanted to tell the City Council about their brand-new building that the Historical Society is hoping to furnish with the help of Jackson County citizens and City Councils.

Titus said the Jackson County Historical Society has been around a long time. He explained the Historical Society's mission is to research and preserve the history of Jackson County. Titus said he thinks all of us would agree that history is important and if someone doesn't understand it and know it, people are probably destined to repeat it and that sometimes is a bad thing.

Titus said some people have a great appreciation for history more so than others. He said he has fallen in love with it, especially local history.

Titus pointed out the copies of the photos he distributed to the Mayor and City Council are photos of the Livingood Mill that was located where the current Jackson City Hall is located. Titus pointed out aspects of the bridge and buildings portrayed in the photos. He also pointed out the wooden dam in the Des Moines River depicted in one of the photographs. Titus said the photos he showed to the Mayor and Council is just an example of the huge photographic achievements that the Historical Society has. He said the Historical Society has been blessed with a lot of photos that portray Jackson's buildings and people from its first days. Titus said he would have Kirchmeier tell more about the Historical Society.

Michael Kirchmeier explained a lot of people don't realize what the Historical Society is. He said a lot of times people kind of equate the Historical Society with what Fort Belmont tries to do. Kirchmeier said people think the Historical Society is the museum and that's what they are.

Kirchmeier said he tells people the Historical Society exists to save the history of Jackson County and they happen to have a museum but the museum isn't why the Historical Society is there. He said the Historical Society is there to collect the history, the pictures, the stories, anything they can have preserved on what's been going on.

Kirchmeier said to help reintroduce the Historical Society to the Mayor and Councilmembers, he provided them with a printed power point presentation. He explained what the power point presentation is a tour of the museum as it is today and also a summary of the things that the Historical Society attempts to do. Kirchmeier noted those things include erecting historical markers, saving buildings, issuing newsletters and all those things the Historical Society does. He invited the Mayor and Councilmembers to go through the power point presentation at their leisure.

Kirchmeier also provided a hand-out to the Mayor and Council that is distributed through the local newspapers. He pointed out he also added a supplement to it that added pictures of the Historical Society's new building in Lakefield. Kirchmeier said the Historical Society decided they needed a building. He explained funding for the new building came from Jackson County who provided \$100,000, along with money raised so far, plus a little bit of funds that the Historical Society had in a contingency fund. Kirchmeier said that allowed for the construction of the \$161,000 building.

Kirchmeier said construction of the new building is only half of the story. He explained if the Historical Society is going to save items they need to be stored properly at a constant temperature and constant humidity. Kirchmeier said right now the new building is just sitting empty. He said it doesn't have electricity or anything inside of it. Kirchmeier said the Historical Society figured that once people saw the building, they would see it's a viable project and hopefully that will lead to more contributions to the facility.

Kirchmeier explained the total new museum building project was estimated at \$300,000. He said he feels his estimate was pretty close. Kirchmeier noted \$161,000 of that estimated \$300,000 has been spent for the building. He said the expensive part of the project is yet to come with such things as shelving. Kirchmeier said it's hoped some shelving may be donated by a business that's replacing their shelving.

Kirchmeier said the new museum building is 106 feet by 60 feet, so it's a large area. But, Kirchmeier said the Historical Society needs the building now and it will probably be a good storage facility long into the future.

Kirchmeier said the new building was connected to the old building. He said the old building is an old pole barn that's basically falling down. Kirchmeier said the Historical Society is hoping to save the front third of the old building because it's already concrete and insulated and so on. He said they don't want to lose that 50 foot by 50 foot area. Kirchmeier provided a diagram to the Mayor and Councilmembers that showed where the new museum building sits in relationship to the old building.

Kirchmeier pointed out the list of things that still need to be done with the new building such as electricity, sewer, water, heating, cooling, shelving, bathroom fixtures, lifting equipment and repairs to the older building sitting next to the new building. He said there are a lot of little items that will add up.

Kirchmeier said he was told by one of his building committee members that it's fortunate that the new building was constructed when it was. He said he was told that since the new building was constructed, lumber prices have gone up and the building would have been 30 percent higher priced if it was built now.

Kirchmeier said he issues a newsletter four times a year. He said the upcoming newsletter will be his 51st issue. Kirchmeier noted the newsletter includes pictures and short stories. He said he tries to share items that have arrived at the museum, talk about interesting new discoveries or pictures that have been found and whether those items can be identified. Kirchmeier said he tries to provide stories from around the whole County if he can. He said sometimes it's harder to find historical stories about the rural areas and smaller towns in the County. Kirchmeier said it's easier to find stories about Jackson, Lakefield and Heron Lake but to get stories about Alpha, Bergen and the Round Lake area are harder to find.

Kirchmeier said out of their \$300,000 building project, the Historical Society has roughly a \$150,000. He said the Historical Society was fortunate to receive \$100,000 from the County, along with a \$20,000 grant, and \$25,000 has been raised through donations from the public. Kirchmeier said the Historical Society may possibly receive funding from the City of Lakefield.

Mayor Walter thanked Kirchmeier and Titus for their presentation and for their time and effort that they've put into the Historical Society's new building.

Kirchmeier invited Mayor Walter and the City Councilmembers to come to the museum sometime for a tour.

City Attorney Brad Anderson asked if donations to the Historical Society are tax deductible.

Kirchmeier said the Jackson County Historical Society is 501-C3 and donations are tax deductible.

Councilmembers thanked Kirchmeier and Titus for their presentation.

JCC POOL ASSESSMENT PROPOSAL

City Administrator Matt Skaret noted the swimming pool at the JCC High School is 40 years old. Skaret said the JCC School District is doing a lot of study on their facilities and planning for the future.

Skaret said the JCC School District is working with JLG Architects from Sioux Falls. He said the school is proposing to have an assessment done of the swimming pool just for planning purposes so the School District and the City can have an idea of what kind of major repairs and expenditures are anticipated in the next three, four, five or ten years. Skaret said that will provide information so the School District and City can budget and plan accordingly.

Skaret said JLG Architects would visit the swimming pool site and are actually working with a company known as Water Technologies. He said Water Technologies will be doing most of the work as pools are their specialty. Skaret noted pools are kind of a specialty item.

Skaret said Water Technologies would take a look at the pool, the pool room, all the facilities including the bathhouses, locker rooms, mechanical system, HVAC, lighting, power, the pool shell, decking, the whole pool area. He said Water Technologies will take a look at it and develop recommendations for repairs, renovations and replacements.

Skaret said the total cost of the assessment by JLG Architects is \$12,800. He said the cost would be split 50/50 between the City and the School District.

Skaret said Alderman Anderson attended the Pool Committee meeting.

Alderman Anderson said the pool has some areas, especially like the lighting and things like that, that really, really need replacing. He noted there were some things that were upgraded about a year or year-and-a-half ago in the equipment room. Alderman Anderson said they just didn't have the money at the time to do everything they needed to do.

Alderman Anderson explained this company will come in and say yea or nay on whether items need replacing or don't need replacing.

Alderman Anderson said Jacqueline Knips is the pool manager. He said between Knips and JCC Facilities Manager Mark Steffen, they've done a great job of going above and beyond doing some things as far a cleaning, whitewashing, the draining of the pools and cleaning all that and getting it sanitized. Alderman Anderson said the assessment is definitely needed, definitely.

ANDERSON/PETERSON moved and it was unanimously carried to approve the City's expenditure of \$6,400, which is 50 percent of the total cost of \$12,800, for the JCC Pool Assessment.

APPROVE UNION CONTRACT FOR 2021

Skaret said the City is just finishing up a two-year contract with the Union that covers the public works employees in the Street, Water and Wastewater Departments.

Skaret said the Personnel Committee has met a couple of times with the Union. He said there were some proposals and counter-proposals exchanged between the City and the Union.

Skaret said what the Personnel Committee is recommending to the City Council after a lot of discussion is doing a one-year contract. He explained with the Covid situation, there's a lot of uncertainty, especially with the economy and considering the fact that the City gets about 40 percent of its General Fund budget from the State and LGA (Local Government Aid). Skaret said the City really wants to be cautious. He said the City doesn't want to make commitments well into the future. Skaret said a lot of Cities are doing one-year contracts with their Unions.

Regarding health insurance, Skaret said the City is seeing about a 9.8 percent increase in their premiums next year. He explained the increase was largely due to Covid. Skaret said there's a lot of uncertainty with health care and a lot of extra demands being put on the health care system right now. He explained the City would absorb the 9.8 percent increase on the City's share of the premiums.

Regarding wages, Skaret explained there would be a three percent COLA (Cost of Living Adjustment) increase plus the steps for those that are eligible for step increases contingent upon satisfactory performance reviews.

Skaret said language was also included in the contract about starting contract negotiations in-person on October 10th, 2021 or before to give the City adequate time because it's unknown what the year may bring. Skaret noted it could be a tougher negotiation next time given all the uncertainties. Skaret said just looking out and beyond, the City doesn't know what's coming and there's certainly a lot of different directions this thing could go with the Covid and the economy.

Skaret said those were the key highlights of the new Union contract. He said otherwise there was just some minor technical changes that really aren't substantive.

Skaret asked the Personnel Committee members, Mayor Walter and Alderman Brandon Finck, if they had any additional comments.

Finck said Skaret touched on all the highlights of the City's new contract with the Union. He noted it was definitely emphasized with next year's negotiations, that if the City sees any State LGA funds start to be reduced, that the conversations are going to have to be quite a bit different on how the employee shares in cost increases and what raises can be. Finck said there was a lot of discussion back and forth about private sector/public sector and what the prevailing wage is in each of those sectors and those types of issues.

Finck said overall he thinks it was good, constructive discussion with the Union representatives that were there and very open. He said it definitely was a better relationship than what the City had with the Union probably four or five years ago when they used to use attorneys to do all the City's negotiations. Finck said he thinks the Union and Union representative, as well as the Personnel Committee feel this is a better route to go. He said there is better communication. Finck noted they can also talk about next year as well regarding how this year is and the logic behind what the City is proposing. He said it was a very good meeting.

Mayor Walter said Finck and Skaret touched on all the high points of the contract negotiations. He said it was just stressed that things are going to look different next year. Mayor Walter said it also was nice when the Personnel Committee members could sit down and discuss issues with the Union representative face-to-face. He said it just works better when discussions can be held person to person. Mayor Walter said he liked that part of the negotiation process.

Mayor Walter entertained a motion to approve the Union contract.

FINCK/ANDERSON moved and it was unanimously carried to approve the Union Contract for 2021.

2020 STREET, UTILITIES AND PARKING LOTS PROJECT PAY APPLICATION NO. 2

Skaret said the weather has been good this week for the street work that's underway. He said progress is being made on the North Highway construction project. Skaret noted curb and gutter has been installed.

Engineer Greg Mitchell of Bolton and Menk said as far as the schedule goes for the North Highway project, curb and gutter was finished up this week. He said there's still a few small pieces to do. Mitchell said the contractor is getting the aggregate base in place and graded and is planning to pave on Saturday, November 7th. He noted there are some small pieces of curb and gutter and some of the sidewalk to do, but the street will be paved and passable. Mitchell said they wanted to get those two phases completed this year so there's access to the hospital when they do the rest of the North Highway Project next year. He noted all the underground work for this year's project has been completed.

Mitchell said the second pay application is being presented to the Council for approval in the amount of \$236,464.20. He said this is the second payment for the project. Mitchell said there is a total amount completed to date of \$645,353.74. He said for next month there will be some payments for curb and gutter, some aggregate base and paving.

Finck noted the last time Mitchell spoke to the Council, it was found that the soil conditions on the North Highway project were better than expected. He said he hasn't heard that the contractor ran into any surprises. Finck asked Mitchell due to the good soil conditions, will there be any cost savings on how the project has progressed.

Mitchell said yes. He said the contractor found the soil conditions were better than expected on that far end of North Highway. Mitchell said it's known that down in the area of the high school that's a former gravel pit. He said they were only planning to excavate one foot of material for the street section. Mitchell said the plan was once they got to Dewey Street, that they were going to take out two feet all the way up to Sayles Drive because they were expecting some poor soil conditions. But actually, Mitchell said the soil conditions were very good. He said in fact, as the project got up to Sayles Drive, it was all sand up there towards the top.

Mitchell said they haven't had to excavate as much as what they thought they would and they don't need as much sand to come back in. He said he didn't have a dollar amount, but there definitely has been some savings on that portion of the project.

Finck asked with those potential savings, could Mitchell calculate the savings out at some point so the Council can track to see where the project is at in case there are cost overruns and those kinds of things.

Mitchell said those savings can be tracked and tabulated. He said those numbers will mean more as we get further into the project.

Alderman Anderson asked Mitchell when the contractor is done with the paving hopefully on November 7th, will they be pulling their equipment and is that as far as they will go for this year?

Mitchell said there will still be some cleanup to do and some backfilling. He said the contractor hasn't said that they're not installing sod yet this year, but we'll kind of see where that goes.

Alderman Anderson noted it's getting kind of late for putting down sod.

Mitchell said it depends if they can cut the sod. He said there is dormant sod that does work. Mitchell said it's more of a matter of whether or not they can cut the sod. He said if it's froze, then they won't cut it. Mitchell said if they can't cut the sod, then the contractor will have to protect the site for the winter and then come back in the spring and finish it.

ANDERSON/PETERSON moved and it was unanimously carried to approve 2020 Street, Utilities, and Parking Lots Project Pay Application No. 2 in the amount of \$236,464.20 payable to Duininck Incorporated.

Mayor Walter noted he spoke with a homeowner along the North Highway project who said it's been a great crew to work with. He said the homeowner said the construction crew has been very nice. Mayor Walter said the homeowner noted that anytime he needed to get in and out of his residence, the construction crews set it up so he could do so. He said the homeowner gave the construction crew two thumbs up.

SANITARY SEWER EXTENSION PROJECT PAY APPLICATION NO. 14

Skaret explained Pay Application No. 14 is piggybacking on the river crossing part of the Sanitary Sewer Extension Project. He said the City has already paid for the river crossing portion of the project. Skaret said Pay Application No. 14 is for the riprap and restoration.

Mitchell said as part of that work, the river was crossed and sanitary sewer was installed up to Highway 71. He said Pay Application No. 14 included restoring a portion of Petersburg Drive that goes through that area. Mitchell said there was some aggregate base, excavation, sub-grade excavation and installation of riprap and restoration on both sides of the river included in the work. He said Pay Application No. 14 is in the amount of \$89,034.39.

Mayor Walter asked for a motion to approve Sanitary Sewer Extension Project Pay Application No. 14.

FINCK/ANDERSON moved and it was unanimously carried to approve Sanitary Sewer Extension Project Pay Application No. 14 in the amount of \$89,039.39 payable to Svoboda Excavating of Jackson.

LIQUOR LICENSE FEE REIMBURSEMENTS DUE TO COVID

Skaret said it's that time of the year again where the City is sending out letters to establishments about renewing their liquor licenses. He said the question has been asked about the City providing a discount on liquor license fees due to Covid which caused many of the establishments to be closed or partially closed for two or three months. Skaret explained it would take an ordinance to change liquor license fees to reduce the fees, but the City Council at their discretion, could approve a refund of part of this year's fees. He said there are some Cities providing refunds.

Skaret said the City of Jackson basically has three different types of liquor licenses. He said there's the on-sale which is your traditional bar-type places like the Legion, the Golf Club, restaurants and so forth. Skaret said those license fees are \$2,000. He said to sell liquor on Sundays is an extra \$150. Skaret said there is also an off-sale liquor license which would pertain to convenience stores such as Speedway and Whoa N' Go. He said the fee for the off-sale licenses is \$100.

Skaret said all total, the City collects \$17,250 in liquor license fees.

Skaret said some of the Covid CARES Act dollars can be used if the City Council wants to reimburse a part of the liquor license fee. He said the City has about \$249,000 of their CARES Act dollars spoken for out of the approximately \$256,000 that the City received. Skaret said there is a little bit of room available if the City wants to do something in regards to reimbursements.

Finck asked Skaret if the issue of reimbursements had to be decided at the November 5th City Council meeting, or could the Councilmembers think about it and have additional discussion.

Skaret said there could be additional discussion. He noted the City Council would need to make a decision and have the checks written for any reimbursements by November 15th. Skaret pointed out the City Council had another meeting next week (November 13th) to canvass the votes from the General Election. He said the liquor license fee reimbursements could be included on the November 13th agenda.

Finck said he would like more time to kind of think through the liquor licenses, the refunds, the CARES Act money and those kinds of things. He said it's hard for him to make a quick decision on this issue.

Alderman Anderson agreed. He said he thinks the City Council should table the request for liquor license reimbursements for now and look at it at the City Council's canvassing meeting on November 13th.

ANDERSON/FINCK moved and it was unanimously carried to table the request for Liquor License Fee Reimbursements due to Covid 19 to the City Council's meeting on November 13th at 12 noon.

Other:

Mayor Walter

Mayor Walter congratulated Alderman Nathan Peterson and his wife, Brandy, on the birth of their daughter.

Peterson thanked Mayor Walter.

City Administrator Matt Skaret

Skaret noted the General Election was held on November 3rd. He said he wanted to thank City Clerk/Council Secretary Dave Maschoff and all of the Election Judges. He said they did a great job. Skaret said it's a long day and a busy day. He said everything went really smoothly.

Skaret thanked Street Superintendent Phil Markman and the Street Department personnel for hauling equipment up to the polling place and helping with the set-up and tear-down.

Skaret said hats-off to everyone involved.

Maschoff said it was a good team effort and that's what made everything run smoothly. He noted there were three good elections this year.

Skaret said hats-off to the Election Judges. He said they work hard all day and we have a great team.

Tom and Cheryl Brooks

Tom Brooks said he just wanted to bring up the fact that the City Councilmembers really need to take a look at the ordinances, particularly the City's noise ordinance.

Brooks said he knows the City is trying to work to develop a combined ordinance that pertains to junk and noise. He said there's a big difference between a junky place and a noisy place.

Brooks said there are people that go to bed because they have to get up and go to work early in the morning. He said for instance, his wife used to go to bed at 8 p.m. because she had to get up at 4 a.m. Brooks said he thinks the ordinance needs to be looked at as far as the noise. He suggested maybe the hours that equipment can be operated needs to be reduced. Brooks said lately, when the weather has been nice, you can't have your windows open at 9 o'clock at night because you hear the noise. He said he thinks the City Council needs to really look at the noise ordinance over the junk ordinance. Brooks said there is a difference, there's a big difference.

Brooks said he can look at junk, but at night you can't even watch TV because of the noise. He said he just wanted to say maybe the City Council needs to look at making two separate ordinances pertaining to junk and noise. Brooks said the hours of the day pertaining to noise has to be reduced. He said he knows for people who go to bed early and have to get up early, it's tough. Brooks noted not everybody has a 9 to 5 job.

Brooks thanked the Mayor and Council.

Mayor Walter thanked Brooks.

Skaret said Tom Brooks made a very good point. He said City staff has had some preliminary discussions and have worked with City Attorney Brad Anderson to present something to the Council where perhaps the ordinance is amended to distinguish between heavy machinery verses like a lawnmower or snowblower type of noise. Skaret also suggested maybe the hours allowed to operate construction equipment could be adjusted. He said there could be a distinction in the ordinance regarding the hours that certain equipment can be operated so it's not one size fits all.

Brooks said there must be some way to make distinctions in the noise ordinance.

Mayor Wayne Walter

Mayor Walter said it was brought to his attention that on Wednesday, November 11th, there's going to be a Veteran's Day Parade starting at Salem Lutheran Church and going to the Methodist Church and then down to Springfield Parkway.

Mayor Walter noted there are two veterans in Jackson who will be celebrating birthdays soon. He said one will be 100 and the other will be 99 years old. Mayor Walter said that's pretty special and the City will be recognizing them when their birthdays take place. He said he wants to talk to the Fire Department to see if they can participate in the celebration.

City Administrator Matt Skaret

Skaret said he heard from the Jackson Chamber of Commerce and they are planning to have a Holiday Fest Parade and fireworks display. He said the City always cost shares with the Chamber and splits the cost of the fireworks 50/50. Skaret said the City always budgets for that.

Skaret noted since they are outside events, people can social distance and can be safe and still have a limited festivity. He said it's not what we're used to, but at least it's something.

ADJOURNMENT

With no further business, FINCK/ANDERSON moved and it was unanimously carried to adjourn the City Council meeting at 5:44 p.m.

David A. Maschoff, Council Secretary

Wayne Walter, Mayor

