

Jackson, Minnesota  
October 6, 2020

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, October 6, 2020 with the meeting called to order by Mayor Wayne Walter. On the roll call, the following persons were present, Mayor Wayne Walter, Aldermen Matt Madden, Larry Anderson and Jeffrey Gay. Also attending in-person were City Administrator Matt Skaret, City Attorney Brad Anderson, Street Superintendent Phil Markman, Jackson Fire Chief Dave Bond, Jackson County Sheriff Chief Deputy Kelly Mitchell, Engineer Greg Mitchell of Bolton and Menk, Marcus Polz, Tom Brooks, Cheryl Brooks, Scott Von Ehwegen, Wayne Gamble, Pastor Eunice Woodberry of Salem Lutheran Church in Jackson and City Clerk/Council Secretary Dave Maschoff. Also attending via Teleconference and Zoom was Alderman Brandon Finck, Alderman Nathan Peterson, Justin Lessman of the Jackson County Pilot and Dave Schmidt of KKOJ/KUXX Radio. (Alderman Dave Cushman was absent.) (A quorum of the City Council was present.)

#### **PLEDGE OF ALLEGIANCE**

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Mayor Wayne Walter asked Alderman Jeffrey Gay to lead those attending the City Council meeting in the Pledge of Allegiance.

Those present in the Council Chambers recited the Pledge of Allegiance.

#### **CALL THE MEETING TO ORDER**

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Mayor Wayne Walter called the regular meeting of the Jackson City Council to order. He noted Alderman Dave Cushman was absent. Mayor Walter said a quorum of the City Council was present.

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

## CONSENT AGENDA

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

### Unscheduled Guests:

Mayor Walter asked if there were any unscheduled guests present at the meeting.

Cheryl Brooks distributed copies of Public Nuisance Ordinances 94.01 Public Nuisance, 94.02 Public Nuisances Affecting Health and 94.04 Public Nuisances Affecting Peace and Safety to Mayor Walter and City Councilmembers. She claimed these are ordinances that their neighbor, Michael Erickson at 712 South Highway 71, has broken in the last three-plus years.

Cheryl Brooks said she wanted to call attention specifically to Public Nuisances Affecting Peace and Safety under 94.04 (V)(a) *General Prohibition*. Brooks brought attention to the statement in the ordinance which she underlined and printed in bold print that states: ***This general prohibition is not limited by the specific restrictions of this section.***

Brooks said she and her neighbors are tired of the noise day and night. She pointed out being awoken at 2:30 a.m., 1:30 a.m. and all the way through the night. Brooks said it's been occurring for over three years and their sick and tired of it. She said they can't handle it anymore.

Brooks said there's been nothing that the City Council has done. She said the neighbor keeps going. Brooks said the City set limits but the neighbor just goes right on by and we just can't handle it anymore.

Tom Brooks said as far as he knew the City had mandated Erickson to have the work and landscaping on his property completed by September but nothing has been improved. Brooks said in fact, Erickson has now been digging up the hill behind their property. Tom Brooks said Erickson hasn't done anything the City had ordered him to do as far as getting the property back into the condition that it was prior to him digging it up.

Tom Brooks said when Erickson first wanted to start his sign business on the property, Erickson was told at that time that the property would have to be kept neat and orderly. He said that information is in the minutes. But Brooks said lately Erickson has been digging in the back of his property. Brooks said every night Erickson is digging up towards his fence line and taking the dirt off. He said the hillside now drops off right behind his property so now his land is going to start eroding.

Tom Brooks said not only that, but when Erickson is using his skid loader at night and every time it goes up the hill, the headlights of the skid loader shines right straight into their living room. He said it's getting frustrating, very, very frustrating. Brooks said he really believes the City Council has to finally put their foot down, put their big boy pants on, and do something.

Scott Von Ehwegen said he lives on the other property line to Erickson. He said he's always tried to work with Erickson. Von Ehwegen said when he had a problem years ago with Erickson, he was told to approach Erickson and talk with him. He said that's what he's done. Von Ehwegen said talking to Erickson doesn't do any good. Von Ehwegen said Erickson says he's sorry but then goes right back to what he was doing the next day.

Von Ehwegen said he came to the conclusion that something needs to be done as of last Friday night (October 2<sup>nd</sup>). Von Ehwegen said he was in his home when he heard screaming, hollering and cussing.

Von Ehwegen said he went out on to his deck and saw Erickson get into his pickup and start tearing things up throwing rocks and gravel onto his (Von Ehwegen's) house, garage, boat and car. He said he's done with him. Von Ehwegen said then Erickson got onto the road and went into town. Von Ehwegen said Erickson is going to kill somebody. Von Ehwegen said that's when he said this has got to stop. He said the Patrol came by 712 South Highway 71 but it was probably too late to catch him because Erickson was already gone into town.

Von Ehwegen said he was at the point where he waited on his deck for Erickson to return home and take matters into his own hands, but he knows he couldn't do that.

Von Ehwegen said he's hoping something gets done. He said he thinks if this situation was anywhere else in the City and if it was next to any of the City Councilmembers or Mayor's house, would this be going on this long? Von Ehwegen said he seriously doubts it. He said it's hard. Von Ehwegen said he's tried to approach Erickson, but nothing changes. He said he doesn't know what to do.

Von Ehwegen said he's concerned about Erickson moving the dirt away from the hillside. He said he's been around hills that slide and as soon as there are rains, that hill is going to slide. Von Ehwegen said there's going to be foundations breaking up on that hill and everywhere else. He said Erickson has also filled in all the low ground on the property at 712 South Highway 71 and that has resulted in Von Ehwegen's property to be in the low ground. Von Ehwegen said he doesn't think a person can legally fill in low areas that hold water that are going to flood somebody else's property including his house. He said those are his worries.

Von Ehwegen said the biggest thing now is the way Erickson drives out of his property. He said Erickson is going to kill somebody, could be a little kid. Von Ehwegen said that's what scared him on October 2<sup>nd</sup> the way Erickson drove out onto the road. He said he couldn't believe it.

Tom Brooks concurred with Von Ehwegen. Brooks said he heard the noise also.

Wayne Gamble agreed with Brooks and Von Ehwegen.

Gamble, who lives at 137 Bluff Avenue, said he moved to Jackson three years ago and into his current house two years ago. Gamble said when he moved into his house, Erickson had no yard and a backhoe parked on the property.

Gamble said he's kept a daily log of the activities taking place on Erickson's property. He said at some point, Erickson removed the sign from the bottom of the hill on Bluff Avenue. He said he doesn't think that's legal to just remove a sign because you don't like it on your yard. Gamble said it was a "curve" sign that stated 15 miles per hour to go up the hill on Bluff Avenue. He noted anybody traveling up the hill from out of town or out of state and not knowing that could obviously result in a traffic accident.

Gamble said he was wondering if the curve sign should be reinstalled. He noted the sign was removed in July of 2019. Gamble said he called City Hall and mentioned the sign being removed to City Clerk Dave Maschoff. He said Maschoff stated he was going to talk to Street Superintendent Phil Markman about it.

Gamble asked why Erickson doesn't have to follow the laws like everyone else. He said he was curious. Gamble said he was just worried about the "curve" sign.

Mayor Walter thanked Gamble.

Mayor Walter said Tom and Cheryl Brooks, Scott Von Ehwegen and Wayne Gamble have all given himself and the Councilmembers a lot to think about. He said himself and the City Councilmembers have been working on this project. Mayor Walter said they will have to work a little harder the way it sounds to him. He noted the Street Department personnel and Law Enforcement personnel have worked with Erickson on more than one occasion and it hasn't been very pleasant.

Mayor Walter thanked the Brooks', Von Ehwegen and Gamble for attending the City Council meeting.

Gamble asked why there is fear on the Mayor and City Council's part.

Mayor Walter said he didn't say there was any fear on his part. He said it might seem like that but there isn't.

Gamble said it's just one guy. He said the laws are on the City Council's side. Gamble said if there is anything he can do to help; he lives at 137 Bluff Avenue. Gamble said he can be contacted during the day and again thanked the Mayor and City Council.

Mayor Walter thanked the group for attending.

## **Council Discussion Items**

### **JACKSON MUNICIPAL LIQUOR STORE PROJECT PAY APPLICATION NO. 7**

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City Administrator Matt Skaret said the City has been withholding \$10,000 in retainage due to the punch list items. He explained included in that punch list was the landscaping and turf restoration. Skaret said there were all kinds of problems with those items.

Skaret said the Liquor Committee met at the Liquor Store to look at the situation. He said landscaper Dave Polz and his staff have looked at the turf restoration.

Skaret said the opinion was that grass was never going to grow satisfactorily unless about four inches of black dirt is brought in. He said quotes were sought to bring in black dirt. Skaret said it would cost about \$8,000 just to put black dirt ten feet around the perimeter of the parking lot. He said there would be a couple options regarding seeding whether it would be regular hydro-seeding or putting in sod. Skaret said those cost estimates were \$5,500 to \$6,000 to bring in sod in addition to the \$8,000 for the cost of the dirt.

Skaret reported the Liquor and Finance Committees decided instead of trying to grow grass up there, to fix the drainage swale on the northwest side of the parking lot and be done with it. He said a quote of \$1,227 was received from Dave Polz to fix the drainage swale. Out of the \$10,000 in retainage that's remaining, Skaret said \$1,227 would be deducted from that amount.

Skaret said in talking with the architect and the contractor, given the situation with the landscaping, the City would return \$5,000 in retainage to the contractor and the City would keep the remaining \$5,000. He said the \$5,000 kept by the City would potentially be used for grass seed and so forth for the City to try and do some things on their own.

Skaret reported the contractor and architect are in agreement with the City in releasing the \$5,000 to the contractor. He noted there were building related punch-list items which the contractor has fulfilled. Skaret said the City would keep the remaining \$5,000 and be done with the project.

**MADDEN/GAY moved and it was unanimously carried to approve Jackson Municipal Liquor Store Project Pay Application No. 7 in the amount of \$5,000 to the contractor.**

### **SANITARY SEWER EXTENSION PROJECT PAY APPLICATION**

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Skaret said as was reported at previous Council meetings, the Sanitary Sewer Extension Project has crossed the Des Moines River in Jackson after waiting for about three or four years. He said because of the weather, the river level keeps dropping and dropping. Skaret said when work began to cross the river, the level was at about 100 CFS (cubic feet per second) and now it's below 30 CFS.

Skaret said the Sanitary Sewer Extension Project made it across the river and is completed up to Highway 71.

Engineer Greg Mitchell of Bolton and Menk explained before the City Council for consideration is Sanitary Sewer Extension Project Pay Application No. 13 in the amount of \$196,286.52. He noted that's for the work that included crossing the river and then extending the sanitary sewer up through Highway 71 in Petersburg Road.

Mitchell said the next step will be to go under Highway 71 and over to the greenhouse and then continue west over to the County road.

Mitchell said approval is being sought on the Sanitary Sewer Extension Project Pay Application.

Alderman Anderson asked if crossing the river was built into the original project.

Mitchell said crossing the river was part of the change order that was approved earlier by the City Council. He said this was all work that was part of the project.

Skaret explained the pay application would include the \$75,000 for the change order plus the work on both sides of the river.

Von Ehwegen noted he lives west of the green house and asked when the sanitary sewer line extension would continue on.

Mitchell said he talked to the contractor, Svoboda Excavating, who needs to make arrangements with their subcontractor who does the directional drilling. He said there are still three segments that need to be directional drilled. Mitchell said because of the delay and the time lag, the subcontractor that does the directional drilling isn't necessarily ready to go right now.

Von Ehwegen asked if the directional drilling could be completed yet this fall.

Mitchell said it's hoped that it can be completed this fall, but Paul Fishel of Svoboda Excavating still needs to talk with the subcontractor.

Von Ehwegen asked if the directional drilling could be done during the winter.

Mitchell said the subcontractor won't directional drill in the wintertime. He said if the good weather continues, it's possible the drilling could be done yet this fall.

**GAY/ANDERSON moved and it was unanimously carried to pay the Sanitary Sewer Extension Project Pay Application of \$196,286.52 to Svoboda Excavating of Jackson.**

## **2020 STREET AND UTILITIES PROJECT PAY APPLICATION NO. 1**

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Skaret reported work has been moving right along on North Highway. He said all of the water main is installed and the last hookups have been completed on the sanitary sewer.

Mitchell said all the hookups are completed. He said right now work is being done on the storm sewer which is the last underground utility that needs to be completed. Mitchell explained there are catch basins and manholes to be installed. He said once those are installed, work will continue up the hill from Dewey towards West Street. Mitchell said there will also be catch basins installed in that area of the project along with some tile work. He said he's anticipating the underground work will be completed next week and then the contractor will be able to concentrate on grading the base and excavation. Mitchell said that work is all part of Phase Two of the project.

Mitchell reported Phase One of the project has curb and gutter installed. He said the aggregate base is in place along with curb and gutter. Mitchell said the next thing the contractor can do in Phase One is start working on the driveways and sidewalks, backfill the curb and gutter and then get the turf established.

Mitchell said the project is on schedule and is coming along really nice. He said the nice weather has also certainly helped.

Mitchell said this first pay application is in the amount of \$376,621.85. He said that also includes a five percent retainage.

**MADDEN/ANDERSON moved and it was unanimously carried to approve 2020 Street and Utilities Project Pay Application No. 1 in the amount of \$376,621.85 to Duininck, Incorporated.**

## **2020 STREET, UTILITIES AND PARKING IMPROVEMENTS PROJECT CONSTRUCTION ADMINISTRATION CONTRACT**

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Skaret explained the City's initial contract with Bolton and Menk for the 2020 Street, Utilities and Parking Improvements Project was for the preliminary work, the topographical survey, design and the bidding.

Skaret said we're well past that now and are into the second phase of the project which is the actual digging and construction. As part of that, Skaret said a representative from Bolton and Menk is in Jackson at the project site almost every day supervising and making sure the project is getting done according to specifications and everything is going alright.



Skaret said this is known as the construction, supervision and administration that also includes processing the pay applications and other administrative items.

Mitchell added it also includes coordinating with the City, the public and the contractor. He said the other big thing that the on-site representative takes care of is keeping track of quantities. Mitchell explained all of the contracts are all itemized contracts so they have to keep track of quantities as they go. He said that's how the contractor gets paid. Mitchell said on some of those things, a representative has to be on-site, especially anything that's underground, you have to be on site to be able to get those measurements before they get buried.

**PETERSON/MADDEN moved and it was unanimously carried to approve the 2020 Street, Utilities and Parking Improvements Project Construction Administration Contract with Bolton and Menk.**

### **SANITARY SEWER CAMERA TELEVISIONING QUOTE**

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Street Superintendent Phil Markman said with the 2020 Street and Utilities Project, it was decided that going forward with any street project in Jackson, the City is going to televise all sewer services as they are opened up to hook onto the City's mains.

Markman said currently the City has to contract the televising of sewer lines out because the City doesn't own a camera. He said having the City purchase their own camera has been talked about for a few years. Markman said the City has worked with one local plumber that has a camera who charges a fee if the City requests to use it.

Markman said he and Water/Waste Water Superintendent Tony Oxborough checked on prices for cameras. He said Flexible Pipe and Tool, where the City's jetter vac truck was recently purchased from, also sells cameras. Markman said he received a quote for a camera from them of \$8,500 for a push camera system. He said it includes a ten-inch color monitor, heavy duty carrying case and has DVR and SD Card capabilities so they can record everything that's being done. Markman said it also has an internal battery and battery charger. He said it's a color camera with a flex-spring end on it and comes with up to 300 feet of push cable.

Markman explained the camera head itself is self-leveling which helps in viewing the pipe. He said it's also equipped with a sonic head so it can be located with the locaters the Street Department has. Markman said if there's a blockage in the pipe, you can send in the camera and determine how many feet up the pipe the blockage is located. He said the benefit is that it will narrow it down to know where to dig. Markman said that will avoid digging up a large area trying to find what you're looking for.

Markman noted an incident on October 6<sup>th</sup> where the City was hooking up a service line to the main. He said a camera was used to check the service line and somehow a bunch of rocks were found in the line and cleared. Markman said without the use of a camera the blockage may not have been found and may have eventually resulted in a backup of the service line. He said that avoided the homeowner possibly having dig up their service line if a blockage would have occurred. Markman said it also may have avoided the rocks ending up in the City's sewer main. He said out of the 15 to 18 sewer services in that section, the City's policy of televising the service lines was beneficial in that case.

Markman said a camera can also be used at other times when a homeowner has a sewer backup. He said the camera can check the City's main and help identify where a blockage has occurred. Markman said the plumber, City representative and homeowner can all look on the camera to see where the blockage is occurring. He said it can show where the City sewer main is open and the problem is in the service line.

Markman said another nice thing about this camera system is that Flexible Pipe and Tool of Cold Spring, Minnesota does all the service work on the system.

Gay noted the camera system comes with a battery in the camera. He asked if the system came with an extra battery just in case.

Markman said the camera system can be plugged in so a generator could also be brought along to plug it in if need be. He said they will make sure the battery is charged. Markman said he thinks it has a long battery life before it has to be charged. He said the system has both options of operating on a battery or plugging it in.

Gay said he thinks the system is a great deal.

Alderman Anderson agreed.

Peterson asked what the battery life was before the battery has to be replaced and what would be the replacement cost.

Markman said he didn't have the specifics regarding that. He said he anticipates it would be similar to the battery replacement on any drill or power tool. Markman said he could call Flexible Pipe and Tool to find out.

**ANDERSON/GAY moved and it was unanimously carried to approve the quote of \$8,500 from Flexible Pipe and Tool of Cold Spring, Minnesota for the purchase of a Sanitary Sewer Camera.**

Markman thanked Mayor Walter and the Councilmembers.

### **DUMP TRUCK BOX QUOTE**

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Markman said the dump body on the truck that he used for plowing snow is really rusted. He said it's a 2006 chassis that the City purchased new in 2006. Markman said it was the main salt-sand truck when it came into service. He said he's the second driver of the truck.

Markman explained the bed style of the dump box. He said the Street Department has changed their ways on how they deal with that truck from what was done in the past. Markman said the dump truck now gets emptied regularly and washed more often. He said before, the salt product just sat in the dump truck all winter because it was the truck that had to go all the time. Markman said that can't be done.

Markman said the dump truck box is rusting through and rusted some of the hydraulic components off which have been repaired. He said it's feared that something on the dump box could fail and someone could be injured or something happening with it.

Markman said the proposal is basically to install a brand-new box on the dump truck, adding undercoating and some poly fenders to keep the splash from hitting directly on the box. He noted the last two trucks purchased for the Street Department have the poly fenders. Markman said the new truck the Street Department is waiting for is anticipated to also be equipped with the poly fenders.

Markman said the updated price includes installing a new body, cab shield, install new lights and strobes, box vibrator, air-trip tailgate and install new mud flaps. He said the current hoist on the truck is still in good and doesn't have to be replaced.

Markman said the total price for the dump truck box is \$16,454.40. He said pending Council approval, the Street Department would like to get the new dump box installed before the snow plowing season starts. Markman said Crysteel will try to schedule getting the new box on line because they know the urgency of needing the truck this winter.

Skaret asked Markman what if it's decided to keep the current dump box and not replace it.

Markman said it's unknown if something is going to happen or if the current box is going to fail. He said the dump truck box was raised and a side could fail and could trip a truck over and someone could get hurt. He said if someone is following the truck when it's being used for sanding and the box is raised and it fails, it could strike a pedestrian or someone else behind the truck in a car. Markman said it's not known how long the dump box will last. He said it's never been used for hauling big chunks of concrete or things like that. Markman said the Street Department has some older trucks where the boxes are designed more for hauling heavier materials. He said the Street Department has been using the current dump truck box sparingly right now.

Finck asked Skaret if the Council moves forward in purchasing a new dump box, where will the funds come from and are the funds in the account or will it put the City overbudget in those accounts.

Skaret explained the funds would come out of the Street Department's budget within the City's General Fund. He said it would put the City overbudget for that particular line item, but there are other parts of the budget where there is funding available. Skaret said for example with the seal coating, the City budgeted \$45,000 and only used \$25,000 this year. So, Skaret said there is some flexibility available.

Finck asked if the City had started a fund for replacing equipment.

Skaret the City did start a fund for replacing equipment but those funds are being set aside more for the larger pieces of equipment like the new trucks and chasses, road graders, plows and that sort of thing.

Markman explained what is being planned for is to get 15 to 20 years of service out of the dump trucks. He noted the new dump truck that's coming that was approved by the City Council earlier this year but hasn't been put into production yet. He pointed out the current dump truck with the rusted box is a 2006 and is already 14 years old. But Markman said with getting the box replaced, they could very easily get it to the 20-year mark. He said the 2006 truck would be the next truck in line to be replaced. Markman said the City would get at least six years of use out of the new box for sure and maybe a little bit more.

Finck said he's all in favor of replacing the dump box. He said he just trying to figure out which account the funding should be taken from. Finck said he thinks the City needs to maintain the equipment they have by all means.

Skaret said the funding can come from the Street Department's General Fund budget. He said he thinks there's enough leeway in the budget where the City can make it work.

**FINCK/ANDERSON moved and it was unanimously carried to approved the Dump Truck Box quote of \$16,454.40 from Crysteel, Incorporated of Lake Crystal, Minnesota.**

Markman thanked Mayor Walter and City Councilmembers.

Alderman Anderson asked if the new dump truck box will be available and installed before winter.

Markman said it's hoped that the box will be ready before winter. He said he would contact Josh at Crysteel tomorrow. Markman said Josh will need to get City's order on Crysteel's production line.

## **DECLARE SEWER TRUCK SURPLUS PROPERTY AND AUTHORIZE THE SOLICITATION OF BIDS**

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Skaret said the City's newer model sewer jetter truck from Flexible Pipe and Tool has arrived and there is need to keep the old jetter truck anymore. He said at least one person has expressed interest in the old truck.

Skaret said he, Markman and Kayle Koep who is the Chief Mechanic at the City/County Maintenance Facility have discussed setting a minimum bid threshold of \$5,000 for the truck because it still does have some value.

Markman said the truck chassis is good. He noted some of the jetter/guzzler parts on the truck are obsolete and they don't even manufacture them anymore.

Markman said none of the controls are available for replacement. He said there's a severe leak in the water pump so the tank wouldn't hold water while the truck was sitting in the shop. Markman said the old truck had to first be filled with water every time they wanted to use it.

Markman said chassis-wise, the truck would make a good chassis if someone wanted to tear the rest of the jetter truck apart. He said one person came to look at the truck and showed some very good interest in it.

Madden asked if \$5,000 was a good minimum price.

Markman said that's what Koep said \$5,000 would be a good starting point. He noted the City received only a \$1,000 for the old airport dump truck and that probably had a \$3,500 plow in front of it.

**MADDEN/GAY moved and it was unanimously carried to declare the old Jetter Sewer Truck as surplus property and authorize the solicitation of bids with a minimum bid of \$5,000.**

## **SPLASHPAD UPDATE**

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Skaret said he wanted to give a quick update on the Splashpad because people have been asking about the splashpad and it's been a major undertaking for the Splashpad Committee and the City.

Skaret said a week ago Monday, the inspector from Vortex who is the vendor that manufactures the splashpad. He explained City is actually working with the seller which is CRS (Commercial Recreation Specialists). Skaret explained Vortex contracts with CRS to sell splashpads and to build them.

Skaret said the inspector from Vortex was not pleased with what he saw. He said there was a lot of work done during the four days the inspector from Vortex was in Jackson to get the splashpad to the point where the system could be started, tested and do some training with staff on October 1<sup>st</sup>.

Skaret said Vortex is not happy with CRS. He said CRS still has some more work to do. He said there's a drinking fountain that needs to be installed and some minor electrical work that needs to be done. Skaret said there's some rough patches on the cement that needs to be sanded out. He said there's also some more work structurally that needs to be done to the shelter that houses the equipment.

Skaret said the City continues to receive invoices from CRS for the splashpad. He said the City hasn't paid any of the invoices because that's about the only leverage the City has with CRS at this point to get this project done is to withhold payment. Skaret said CRS is supposed to be in Jackson mid to late this week to finish up the rest of the work. He said there's a State inspector that's going to be in Jackson on Thursday morning, October 8<sup>th</sup> to inspect the system as well.

Skaret said Vortex is putting a lot of pressure on CRS and it is hurting them financially in more than one way at this point.

Peterson asked if there was anything like a penalty in the contract with CRS for not getting the project done by a certain date.

Skaret said unfortunately there was not.

Finck asked if the splashpad supplier and inspector were going to hold the contractor to the standards that they see fit.

Skaret said yes, the supplier and inspector will hold the contractor to standards as far as the quality of the work and making sure things are done the way they're supposed to.

Finck said so in the end, we should end up with a product that the City anticipated and are paying for.

Skaret said that was correct.

Mayor Walter noted the contractor hired somebody to come in, clean it up and seed the grass. He asked who's responsible for watering the newly seeded area to get the grass growing.

Skaret said it not the City's responsibility.

Mayor Walter said it's the general contractor's responsibility.

Skaret said the general contractor will probably have to come back. He said he and Community Education Director Jacqueline Knips had a couple long and very frank with the representative from Vortex to determine where is the problem.

Skaret said there's a lot of finger pointing going on. He said the problem from Vortex's end is Vortex contracted with CRS and CRS subcontracted this project entirely out to another firm.

Alderman Anderson asked if the subcontractor, Hulstein Excavating, has ever done a project like this before.

Skaret said supposedly they have.

Markman said he knows Hulstein built the splashpad in Worthington but doesn't know to what extent they were involved as far as the groundwork and other specifics.

Finck noted part of the problem was that the company that was contracted to build the splashpad in Jackson was using the project as more of a backfill project. He said this wasn't a primary project for the contractor and they kind of treated it as such all summer. Finck asked if that was correct.

Skaret said that's kind of what he's gathered. He said he hasn't been able to get anyone to explicitly admit that. He said he knows Hallsten is doing a large project in a neighboring community and there's been hearsay to that effect.

Finck said that's what he's kind of understood all long. He said to try and keep the pressure on the contractor to finish the project this fall so next summer at least we can start the year out right with the splashpad and get everything right before the City releases anymore funds. Finck said he thinks Skaret has a good plan for that.

Skaret thanked Finck.

#### **RESOLUTION NO. 39-1020 APPOINTING ELECTION JUDGES FOR THE GENERAL ELECTION ON NOVEMBER 3, 2020**

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City Clerk Maschoff reported there were some past Election Judges who could not serve during the November 3<sup>rd</sup> General Election, but there were some new people who stepped forward to serve. He said there are enough people to serve as Judges that shifts may be offered for those who may not want to work the entire day.

Maschoff also said the number of Judges offers some flexibility in case someone becomes ill or has something come up unexpected and can't serve on Election Day.



Maschoff said he thinks we're pretty well prepared. He noted Friday, October 9<sup>th</sup> is the last day to appoint Election Judges so the City is ready to go and have Resolution No. 39-1020 for the Council's consideration.

**ANDERSON/MADDEN moved and it was unanimously carried to approve Resolution No. 39-1020 appointing Election Judges for the General Election on November 3, 2020.**

Maschoff thanked Mayor Walter and the Councilmembers.

**RESOLUTION NO. 40-1020 AUTHORIZING AGREEMENT WITH MnDOT  
PERTAINING TO THE HIGHWAY 71/SHERMAN STREET TRAFFIC SIGNAL PROJECT**

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Skaret explained Resolution No. 40-1020 is in relation to the project the City Council talked about in August. He said MnDOT will be going out for bids in November on the traffic signal replacement project on Highway 71 and Sherman Street. Skaret said it's a shared project

In these types of projects, Skaret said there's a cooperative construction agreement outlining what the City's responsibilities are and what MnDOT's responsibilities are and providing what the estimated costs are.

Skaret said MnDOT comes up with the plans and specifications. For the City's part, he said there is a little bit of water line and fire hydrant work. Skaret noted Engineer Greg Mitchell has seen the plans and has been in consultation with City staff.

Skaret said the City will be required to provide electrical power to the new traffic signals and provide minor signal maintenance such as cleaning bulbs, replacing the bulbs as they fail, things the City's electric line crew can do. Skaret said the City has to maintain right-of-way access.

As part of this project, Skaret said there will be bump-outs. He said the bump-outs are a new construction feature by MnDOT. Skaret said the purpose of the bump-outs are to provide for a shorter distance for pedestrians to cross streets. He said there are more of those being seen in communities.

Skaret said the City's estimated cost for the project is \$144,665.29. He said the City's estimated cost for the project has changed. Skaret said initially, the City's share was estimated at \$180,000 so \$90,000 was set aside in this year's City budget and \$90,000 was set aside for next year's budget. He said in the spring, the City was informed their share would be lower at about \$120,000. Skaret said now the City has been told their share will be \$144,000, but that's still under the initial estimate when the State started planning this project.

**ANDERSON/FINCK moved and it was unanimously carried to approved Resolution No. 40-1020 authorizing the agreement the MnDOT pertaining to the Highway 71/Sherman Street Traffic Signal Project and authorizing the Mayor and City Administrator to sign any documents where needed.**

#### **CITY HALL PHONE SYSTEM REPLACEMENT QUOTE**

Skaret said this relates back to the Covid CARES Act dollars that the City received due to the Covid pandemic. He said City received about \$256,000.

Skaret said the Finance Committee met and discussed how the CARES Act dollars would be allocated. He reported the Finance Committee wanted to make sure the City was taking care of their costs first as far the City's direct cost for employees and so forth. Skaret said those costs also include the purchase of PPE (Personal Protective Equipment) and Plexiglass. He said a review would be done in October to see how the City would spend the rest of the CARES Act dollars that were allocated. Skaret said there will be a Finance Committee meeting before the next City Council meeting to see where we are at.

Skaret reported the City has not spent near the \$256,000 related to Covid. He said with the League of Minnesota Cities and other organizations, there's been a lot of discussions, webinars and Zoom calls regarding what different Cities are doing with their CARES Act dollars.

Skaret said one of the eligible expenses under the CARES Act is technology upgrades related to Covid. He noted a lot of Cities and Counties are doing some pretty extravagant things.

Skaret noted the City of Jackson has done some minor technology upgrades with the purchase of a conference phone and the replacement of a laptop computer.

Skaret said one of the most practical things technology-wise would be replacing the phone system at City Hall. He said it's not known how old the current phone system is, but it's believed it's pretty old. Skaret said it's a pre-2000 Avaya phone system.

Skaret said the current phone system is not set-up if for example, City Hall had to be closed and City Hall staff had to work from home. He said the current system is also not set up to do any call-forwarding. Skaret said the current phone system is based on old analog technology.

Skaret said he took a look at what it would take to upgrade the City Hall's phone system with some more modern technology. He said he reached out to Travis Thies at Southwest Broadband. Skaret said Southwest Broadband doesn't provide or install phone systems themselves, but Thies recommended a couple of phone vendors.

Skaret said he contacted both phone vendors. He said one of the vendors responded right away and visited City Hall and actually put the proposal for a new phone system together. Skaret said he called the other vendor and left a message but haven't heard anything from them.

Skaret said the phone vendor that responded and visited City Hall are actually working with another city in the area in upgrading their phone system. He said their quote to the neighboring City was also identical to the quote provided to the City of Jackson.

Skaret said the proposed new phone system for Jackson is a Mitel 5330-E. He said the company has actually installed a similar system for Southwest Broadband. Skaret said Southwest Broadband was happy with the product and happy with the service.

Skaret pointed out if there ever was a serious problem with the current phone system, he's not sure who you would call to get the system repaired. He said Avaya has been bought out by another company. Skaret said he doesn't know what it would take to get someone to come to City Hall if there was a major problem with the current phone system.

Skaret said that would be another advantage of upgrading the phone system to actually have someone you could call if there was a problem.

Skaret said the phone vendor came and looked at the current phone system and what City Hall's needs are. He said the proposed new phone system would include features like being able to have phone calls forwarded to cell phones or the office phone could be taken home to be able to work from home. Skaret said the new system would also have a teller-worker option. He said it would also have the capability of having voicemails convert directly to emails. Skaret said it's a voice over IP System. He said that's the new technology and the way of the future with the modern phone systems.

Skaret noted the proposal for the new phone system was sent out in the Mayor and City Councilmembers informational amended packets. He said there are a couple parts to the proposal. Skaret noted the phone system itself which is about \$6,900. He said there is also what's called the HP End Service Bundle which includes the labor to build the system, the training and having a project manager on site to coordinate which is an additional \$5,725. Skaret said the total price is \$12,647. He said to have the teller-worker option to allow someone to work from home, it would require a firewall that would cost \$2,152. Skaret said all total, the new phone system would cost just under \$15,000.

Skaret said it sounds like a lot of money, but it's something the City would have to do sooner or later given the age of the current phone system. He said making a decision on the proposed new phone system is time sensitive given the deadline when the CARES Act dollars need to be used. Skaret said if the Council would like, they could refer the matter to the Finance Committee for review and bring it forth at the October 20<sup>th</sup> City Council meeting. He said the Council could also approve the purchase of the phone system and it would be installed at the end of October or early November.

Finck said purchasing a new phone system for City Hall is a small enough purchase with the CARES Act money. He said it looks to him as probably the right use of the funds. Finck said it's a one-time expense and not coming out of the City's General Fund. He said he didn't know if the proposal had to be referred back to the Finance Committee for this purchase. Finck said City Hall has a pretty antiquated phone system and it makes sense to upgrade. He said it all CARES Act funding and doesn't affect the City budget. Finck said he would have no problem moving forward with the purchase of the new phone system.

Alderman Anderson doesn't see a need to refer the proposal to the Finance Committee.

Peterson agreed.

**PETERSON/ANDERSON moved and it was unanimously carried to approve the City Hall Phone System replacement quote from High Point Networks.**

### **DELINQUENT UTILITY BILL EXTENSIONS**

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Skaret explained if the City Council waited until their next meeting it would be the 20<sup>th</sup> of October. He said for any disconnections, the City has to give a 20-day notice so that would put the end of that notice date on November 12<sup>th</sup>. Skaret said actually the disconnect date would fall on November 11<sup>th</sup>, but that's Veteran's Day and disconnections cannot be made on a holiday or the day before a holiday. He noted that November's utility bills would then be due again on the 15<sup>th</sup>.

Skaret said the City Hall Office Staff had asked if the issue of delinquent utility bill extensions could be brought before the City Council at the October 6<sup>th</sup> meeting to get their feelings on extending the program. He noted the City has been doing the program for a number of months with not doing the disconnects, but requiring utility customers have a contract with the City requiring a 25 percent payment.

Alderman Anderson asked if the program has been working well.

Skaret said the program has been working pretty well.

Finck asked Skaret if the City could extend the program for more than 30 days and maybe until the first of the year. He said the Covid situation does not appear to be changing anytime soon. Finck noted there's no vaccine becoming available. He asked Skaret if there was any reason that the City Council couldn't extend the program beyond 30 days.

Skaret said he doesn't think there's any reason why the City Council couldn't extend the program. He said they could extend the program for 60 or 90 days or through the end of the year. Skaret said the program could be revisited again in December.

**FINCK/GAY moved and it was unanimously carried to extend the Delinquent Utility Bill Extension Program for 90 days and then revisit it in December.**

## **MAYOR'S PROCLAMATION OF MINNESOTA MANUFACTURING WEEK OCTOBER 1<sup>ST</sup> THROUGH THE 7<sup>TH</sup>, 2020**

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Mayor Walter read the Proclamation commemorating Minnesota Manufacturing Week. Mayor Walter read:

***Whereas:** Manufacturing is a dynamic and robust industry, crucial to the health and strength of Minnesota's diverse economy; and*

***Whereas:** Manufacturing added \$52.7 billion to Minnesota's economy in 2019, representing the second-largest contribution (14%) to the state's gross domestic product by any industry; and*

***Whereas:** Workers took home \$22.1 billion in wages from Minnesota manufacturing jobs in 2019, the second-largest payroll among private sector industries; and*

***Whereas:** Manufactured exports brought \$21 billion into the Minnesota economy in 2019; and*

***Whereas:** Manufacturing in Minnesota pays an average annual wage of \$68,081, which is 16% higher than the state's overall average wage; and*

***Whereas:** Manufacturing provides 324,000 highly skilled, well-paying jobs, which significantly contribute to Minnesota's high standards of living and economic vitality.*

Now, therefore, I, **Wayne Walter**, Mayor of **Jackson, Minnesota**, do hereby proclaim that the week of October 1 to October 7, 2020 shall be observed as:

### **MINNESOTA MANUFACTURING WEEK**

In the City of Jackson on the 6<sup>th</sup> day of October, Two Thousand and Twenty.

Signed: Wayne Walter, Mayor

## **MAYOR'S PROCLAMATION: JCC HUSKY DAY**

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Mayor Walter said he had also received a request to proclaim Husky Pride Day. Mayor Walter read:

***Whereas:** 2020 continues to present unprecedented circumstances which have prohibited typical high school celebrations, and*

***Whereas,** Jackson County Central High School Students have exhibited incredible strength, resiliency and HUSKY PRIDE; and*

***Whereas,** the JCC Students make our communities and school system a fantastic place to live and learn; and*

***Whereas,** educators at Jackson County Central Schools work closely and passionately with our students and families to provide a wonderful education; and*

***Whereas,** the Jackson County Central Student Body makes our citizens proud of their commitment to responsible citizenship in the unprecedented time of COVID-19; and*

***Whereas,** The JCC Students will be our future leaders, pioneers, creators, motivators and role models; and*

***Whereas,** the City of Jackson supports and congratulates all the students who will continue to influence our community well into the future, and*

***Now, Therefore,** I, the Mayor of Jackson, do hereby proclaim Friday, October 9, 2020, as Jackson County Central Husky Pride Day 2020.*

Dated this 6<sup>th</sup> day of October, 2020

Signed: Wayne Walter, Mayor

**Other:**

**Alderman Brandon Finck**

Finck said he just wanted to really give a “shout out” to the Jackson County Central School District. He said the JCC staff has done a tremendous job in getting our students back to school. Finck said the JCC Schoolboard and Superintendent have worked very well.

Finck said he thinks that needs to be recognized in our community on how important that is to have our kids back in school the best we can and what a job they’re doing with the distant learning.

**Alderman Larry Anderson**

Alderman Anderson reported the ribbon cutting was held at the Ashley Park Shelter House and that went well. He said there continues to be a lot of good comments from people, not only about the shelter house, but also the upgrades at Ashley Park. Alderman Anderson said hats off to the Park Board for getting those improvements done.

### **City Administrator Matt Skaret**

Skaret said he just wanted to remind the Mayor and Councilmembers that the first Council meeting in November will be held on Thursday, November 5<sup>th</sup> at 5 p.m. He noted the meeting was changed from November 3<sup>rd</sup> because that's the day the General Election is being held.

### **Mayor Wayne Walter**

Mayor Walter noted there will be a Husky Homecoming Train held on Friday, October 9<sup>th</sup> at 3:45 p.m. through downtown Jackson, heading north on Main Street and then up on North Highway turning onto Butler Street to Sherman Street and then east on Sherman and ending at Sherman and First Street. He said just a reminder if someone wants to partake in that.

### **ADJOURNMENT**

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**With no further business, ANDERSON/GAY moved and it was unanimously carried to adjourn the meeting at 7:44 p.m.**

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**David A. Maschoff, Council Secretary**

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**Mayor Wayne Walter**



