

UTILITIES COMMISSION MEETING
April 27, 2020

A regular meeting of the City of Jackson Utilities Commission was held in the Council Chambers of City Hall at 4:00 p.m. on April 27, 2020 with the following persons present: Vice-Chairman Kevin Siepker, Joe Marthaler and via teleconference call Mike Schwartz and Mike Madden. Also attending in person was City Administrator Matt Skaret, City Finance Officer Deb Mitchell, Street Superintendent Phil Markman, Water/Wastewater Superintendent Tony Oxborough, MRES Jackson Distribution Maintenance Foreman Jeremy Boogerd, Recording Secretary Dave Maschoff and joining via teleconference call was Kathy Kolander and Mike Baker. (Utilities Commission members Chairperson Gayl Berkner, Mike Thurmer and Jenna Schwartz were absent.) (A quorum of the Utilities Commission was present.)

CALL THE MEETING TO ORDER

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

DEPARTMENTAL REPORTS

Street Department

Street Superintendent Phil Markman reported the Street Department is operating with split crews to avoid the Covid-19 virus.

Markman said the Street Department has been restoring yards that were damaged due to snow plowing this winter and cleaning up trees along the trail. He said they have also been doing some cold patching where they can on some of the potholes waiting for the hot mix plants to open.

Markman said the street sweeper is currently broke down and is in New Prague being repaired. He said the Street Department has also been busy with routine maintenance projects and with locating utilities for construction projects as the weather continues to improve.

Markman reported concrete work is underway on the County's South Highway Project and will possibly be blacktopping the end of this week or next week.

Water Department

Water/Wastewater Superintendent Tony Oxborough reported Lift Station No. 2 had a new driveway installed and a cover over the bypass structures.

Oxborough said the Water Department personnel has also been working in split shifts as a precaution due to the Covid-19 pandemic.

Oxborough said the Water Department has been working on the City's lagoon ponds. He said they have also been busy with locating utilities for construction projects.

Oxborough said the bollards have been installed at the new ground water storage tank. He said the contractor may do some dirt work at the site this week to make it look nice.

Oxborough said SEH Engineer Maria McCarty is going to mark the location where the Vet's Oil sign needs to be re-erected near the new ground water storage tank.

Oxborough said the Water Department has also been busy getting caught up on maintenance projects.

Oxborough said the AMI System project is on hold for now for the Water Department because of the Covid-19 concerns.

Electric Department

MRES Jackson Distribution Maintenance Foreman Jeremy Boogerd reported the Electric Department has installed 48 of the first article 9-S electric meters as part of the AMI System. He said he's still waiting for the arrival of additional meters. Boogerd said antennas are up and are awaiting a representative of Core and Main to arrive to program the base station and train people in the City Hall office on how the program works. He said things have been on hold due to the Covid-19 precautions and waiting for restrictions to be eased to allow Core and Main employees to travel and do the programming at City Hall.

Boogerd reported since the last Utilities Commission meeting, MRES crews were working in split shifts with two crew members staying home and two crew members working every other week. He said starting on April 27th, MRES has two crew members in Lakefield everyday and two crew members in Jackson everyday and both crews just stay in their respective communities so they are social distancing. Boogerd said he doesn't have a timeline of when the crews can all work together as one. He said there are exceptions if the need arises.

Boogerd said the Electric Department has to wreck out all of Sixth Street and pull the poles. He said they have also pulled the poles on North Highway. Boogerd said the Electric Department is going to start installing street lights on North Highway beginning in the area of the Good Samaritan Center and the school. He reported most of the new street lights have been installed on South Highway and the old poles and wire will be removed.

Boogerd said the Electric Department has also been busy taking care of maintenance items.

Siepkner congratulated Boogerd on the Electric Department's recent Reliability Award.

Skaret also congratulated Boogerd and Oxborough on completing the MMUA First Line Supervisor School. He noted Boogerd completed the program a few years ago.

Boogerd said hats off to the City for investing in the infrastructure which benefits the reliability of service.

APPROVAL OF THE MINUTES FROM THE JANUARY 27, 2020 AND FEBRUARY 24, 2020 UTILITIES COMMISSION MEETINGS

Vice-chairman Siepkner asked Utilities Commission members if they had any corrections or additions for the January 27, 2020 and February 24, 2020 Utilities Commission minutes. Hearing none, Siepkner declared the minutes approved as mailed.

TERRI LUHMANN REGARDING ELECTRIC LINE AT RESIDENCE

City Administrator Matt Skaret said Terri Luhmann says the electric line at her residence was nicked last summer when the underground electric project was underway.

Boogerd went on to describe Luhmann's electric service and how it was fed to her residence. He explained a new meter pedestal was installed and Luhmann's wires were taken from the old meter socket and ran them to the new meter pedestal in October or November.

Boogerd said in February, Luhmann notified the Electric Department that her residence had partial power. He explained it was due to a bad phase of power between the pedestal and the meter socket on Luhmann's residence. Boogerd said Luhmann contacted an electrician who found the bad spot in the wire where the old pole pedestal used to be located. Boogerd said it's possible that where the wire had been bent and straightened out to be installed into the new pedestal, the coating on the wire may have cracked and it allowed some moisture into the wire when the snow thawed. Boogerd said Luhmann wanted the City to pay for repairing the line. He informed Luhmann to bring her request to the Utilities Commission for consideration.

Skaret read the notes from Luhmann's phone call to City Clerk Dave Maschoff that stated she feels the City should be more responsible. She stated she has a day-care business serving 12 children and all her food and other purchases are done in Jackson. Skaret said Luhmann's comments also stated that she supports the City and the City should continue to support their residents. He said Luhmann feels the City should be more responsive.

Skaret said Luhmann paid the electrician a bill of \$241 and feels she should be reimbursed. He said Luhmann stated the electric line was cut right at the pole and feels it should be the responsibility of the City.

Skaret said Luhmann also stated the line had been there for 37 years and they hadn't had any problems with it until the underground project. Skaret said Luhmann stated the power was cut and out for part of the day for her daycare. He said she also noted that one of her shrubs had also been cut and they had to fill in the hole, level off the yard and reseed it after the underground project was done.

Skaret said Luhmann's case is similar to a case the City had before. He said the City is not responsible for contractors working in the City. Skaret explained in the contract it says the contractors are liable for any damages that they cause.

Boogerd noted in this particular case, it was the City electric crew that moved the wire. He said it wouldn't have been a result of boring from the contractor. Boogerd explained the wire used to go up the pole and the City electric crew pulled the wire off the pole and installed it into the new meter pedestal. He said wire that's been in the ground for 37 years tends to have its shape and when you reshape it, it was possible the insulation on the wire cracked.

Boogerd said he doesn't think the wire was necessarily nicked or hit by a piece of machinery. He said it was changing the form of the wire, the age of it, the wire degraded and insulation cracked and moisture that got into the wire. Boogerd said the electrician dug the wire up, cut out the bad piece and spiced it together with a new piece of wire.

Boogerd said what he told Luhmann is that he did not admit fault, but said it wasn't impossible that it may be due to the work the City electric crew did.

Siepkner noted that when a contractor working for the City causes damage, the contractor is liable. Since the City did the work, Siepkner said he thinks the City has to reimburse Luhmann for her electrician bill. He also noted the age of the cable, that the bent cable was straightened and the insulation on the cable may have cracked. Siepkner noted the fault occurred within six months of the wire being moved.

Boogerd said this is the first incident that's been reported in the five years of the underground electric project.

Skaret recommended that Luhmann provide a copy of the invoice from the electrician if the Utilities Commission makes a motion to reimburse Luhmann.

MARTHALER/MIKE SCHWARTZ moved and it was unanimously carried to recommend to the City Council to reimburse Terri Luhmann \$241 for repair of the electric line on her property provided Luhmann provides an invoice from the electrician.

MIKE BAKER REGARDING NEW ELECTRIC SERVICE FOR 113 EMILY STREET

Mike Baker said he would like to request having the City Electric Department install temporary electric service and eventually have permanent service installed on the western side of the lot at 113 Emily Street. He noted there are electric poles currently on the south side of Emily Street. Baker said he would like service to build a house on the property.

Baker noted he's heard the City has been discussing reconstructing Emily Street in the future. He noted the best time to bore under the street would be when Emily Street is reconstructed. Baker noted boring under the street at this time would be expensive for him and requested temporary service be provided via a wire ran to a pole across Emily Street and down to his property so he can start a building project.

Oxborough asked Baker if he owns the property at 113 Emily Street.

Baker said he doesn't but is planning to purchase it. But in order for him to do his due diligence, Baker said he needed to do some research on sewer, water, gas, electric utilities and those kinds of things to put a package together.

Boogerd noted in 2011, the City construction policy said any new home construction gets underground utilities so that would fall on the homeowner to bore under the street and get over to the point of contact. He said if the Utilities Commission wanted to waive that and have the City get electric power across the street, the Electric Department would bore under the street and put a pole on the open lot.

Baker said location of the utilities is important for a building project. He said he wants to determine the cost of utilities before moving ahead with a project. Baker noted he doesn't like to start building a project working off a generator because of safety concerns and noise. He would like temporary electric service installed.

Madden said he's guessing the City Council and the Utilities Commission at some point passed a policy for all new underground services for a reason to keep services from going across the road as much as possible. He said he doesn't see why the Utilities Commission would deviate from that policy in this case especially with the trees in that area.

Boogerd outlined what could be done regarding boring under the road to provide electric service. He noted the Electric Department would not install temporary electric service until building permits are filed and ground is broken on a project. He estimated a ballpark figure to bore under the street would cost \$750.

Discussion ensued on aspects of providing power to the property and how it could be accomplished.

Boogerd said he could meet with Baker and determine how power could be brought to the lot. He said the decision is whether the City wants to bore under the street to accommodate this new lot at 113 Emily or require the homeowner or developer to bore under the street. Boogerd said that's the question.

Madden said having the customer pay the cost of construction for new service is common across all electric utilities.

Boogerd said the customer owns their service to the main for electric service just like they do for water and sewer. Boogerd noted the electric service for the lot could be brought in from the east side or west side. He said the question is whether the City is going to pay to bore under the street or have the homeowner pay for the boring.

Madden said in his opinion, he doesn't think the City has an interest in paying for boring.

Siepkner asked for a motion.

MADDEN/MARTHALER moved and it was unanimously carried to follow the current City policy that installation of electric service underground across the road would be at the property owner's expense.

JACKSON LIVESTOCK WATER AND SEWER

Skaret noted Kathy Kolander of Jackson Livestock was joining the meeting via conference call.

Kolander noted she attended the Utilities Commission meeting on June 24th, 2019 to talk about the leaks they had in the water lines at the sale barn. She noted one of the sale barn's water lines broke in the ditch which was repaired. Kolander said another of their water lines in the driveway had to be repair a second time during the winter. She said now the sale barn has new water line leaks.

Kolander explained a meter was installed in the basement of the sale barn to measure the actual sewage usage because they have two bathrooms and a sink in the kitchen that's used on sale days. She said an average for the sewage usage would be determined after three months through the special meter that was installed.

Kolander said she also asked if the sale barn could be reimbursed for the sewer usage that they didn't use for the past year.

Kolander said Jackson Livestock received a bill in March that was over \$15,000. She said they are struggling financially with the whole coronavirus thing going on so this is kind of a double whammy on them. Kolander said they paid for the electricity and half of the water last month. She noted they've had some pretty outrageous utility bills. Kolander explained they do understand their responsibility for the water portion of the bill because they do have a leak. So they don't have this problem anymore, Kolander said what they've decided to do is replace all the water lines at the sale barn because the current lines are so old.

Kolander asked if anyone has come up with the figure of what Jackson Livestock's actual average sewage usage was over a three-month period. She noted the sewage portion of last month's utility bill was \$5,000 or \$6,000.

City Finance Officer Deb Mitchell explained her calculations regarding the sewage usage for Jackson Livestock from June of 2019 to now.

Kolander asked if they could be reimbursed for the sewer costs they didn't use so they can pay the water bill and install new water lines at the sale barn.

Oxborough explained the water system and Jackson Livestock's problem with leaks. He said based on the calculations, Jackson Livestock should be paying for about 2,000 to 3,000 gallons of sewer water per month and not the same amount as the water they use. Oxborough said not all the water used goes down the sewer. He said they have a lot of water line leaks so they have a lot of water usage.

Oxborough said Jackson Livestock has been charged the sewer charge based on the water usage because the issue hasn't come before the Utilities Commission since last year to make a decision.

Kolander said they have been talking with a contractor about replacing all the lines at the sale barn.

Oxborough informed the Utilities Commission they have the authority to reimburse Jackson Livestock a year's worth of sewer charges for water that actually never made it into the sewer. He said Jackson Livestock is paying for their water.

Kolander noted up to now they have paid for every single bill except for the past month when the bill was over \$15,000. She said she's worried about all the sewage costs for the past 12 months.

Regarding the sewer charges, Mitchell explained the City usually reimburses by having a credit on the customer's account.

Marthaler asked what the amount is that's being sought for reimbursement by Jackson Livestock.

Mitchell said it was \$19,771.06. She said the normal procedure would be to credit the customer's account. Mitchell said she calculated bills from June 1, 2019 to May 1, 2020, which would be over a 12-month period.

Kolander said they have already received a quote from a contractor. She noted it will cost \$22,000 to replace the water lines at the sale barn. Kolander said they need to get control of the situation because of financial concerns.

Mitchell explained right now the sewer reimbursement to Jackson Livestock would be \$19,771. She said looking at their account, looking at what they owe for water from last month and their new bill, they would owe about \$14,153.70 after the new utility bill comes out. Mitchell said the \$19,771 does include the last two months for sewage. She said after the \$14,153.70, Jackson Livestock would still have a credit remaining of \$5,617.36.

MARTHALER/MADDEN moved and it was unanimously carried to recommend to the City Council for the City to credit the sewer charges for the past 12 months for Jackson Livestock in the amount of \$19,771 and to keep the sewer charges in place moving forward and to re-evaluate the situation once the water leaks are repaired.

ILLEGAL SUMP PUMPS

Skaret said the situation with illegal sump pumps has been discussed by the Utilities Commission in the past. He noted the AMI System is moving forward and bids are being sought for the North Highway and South Street projects. Skaret said one of the things the City is going to be requiring is that people who are hooking up to the sewer have their sewer lines televised.

Skaret said also when the Water Department enters houses to install the new water meters for the AMI System, they are going to be doing sump pump inspections. He said it's believed that sump pumps are probably a large part of the City's I & I problems.

Skaret noted a lot of communities have added an extra sewer service charge for people who have illegal sump pump connections until the connection is fixed. He said a common service charge is \$50 a month. Skaret said the service charge is an incentive for a resident to have their sump pump connection fixed correctly so they can eliminate that \$50 monthly charge.

Skaret said the Utilities Commission can impose any amount for a service charge they choose but \$50 is the common charge he's seen.

Oxborough said an ordinance regarding illegal sump pump connections is one thing the City can do, but also educating the public about illegal sump pumps is also part of it and letting people know what's going on. He said Utilities Commission member Mike Thurmer suggested letting residents know that the City is going to do sump pump inspections. Oxborough said the City wants to let residents know that they will be doing sump pump inspections.

Skaret said if someone is found to have an illegal sump pump connection, they could be given 90 days to properly correct the situation and if they didn't, then the monthly service charge would begin.

Oxborough said the City needs to put a policy in place because the City will continue to run into all kinds of issues. Besides illegal sump pumps, Oxborough said there are tile systems around homes that may be piped into the sanitary sewer and not the storm sewer.

Oxborough said the Water Department will be in every house in Jackson installing the AMI meters and it will be an opportunity to inspect sump pumps and other issues and fix the City's I & I issue which is a big deal. He said the Water Department wants the guidelines and rules and to make sure people follow them.

Skaret said City staff wanted to get some feedback before putting anymore time into this and to make sure the Utilities Commission was still on board on moving forward on this. He said an ordinance will then be developed to be presented to the Utilities Commission and the City Council.

Oxborough said the City doesn't have a sustainable sewer system that can handle all the fresh water from sump pumps. He said the Water Department wants to have straight forward rules. Oxborough said the Water Department will work with people to make needed corrections. He said you can't put fresh, clean water in the sewer system. Oxborough said you can't have it.

Siepkner said he didn't have any problem with City Staff moving forward in developing rules and a proposed ordinance regarding illegal sump pumps.

COVID-19 UTILITY BILL PAYMENTS UPDATE

Skaret explained due to the Covid-19 pandemic and disruptions to the economy, businesses closed and people out of work, the State has strongly recommended that Cities do some forgiveness as far as late fees and not doing utility shut-offs, at least temporarily.

Skaret said the Jackson City Council has essentially extended the Cold Weather Rule for a month into May and will revisit it again at their May 20th meeting. He said customers that are on the disconnect list still need to come into City Hall and declare that they have an inability to pay and enter into a payment arrangement of some type. Skaret said the City Council doesn't want anyone just taking advantage of the situation and feel they don't have to pay their utility bill because of Covid-19. He said utility customers still have to pay their bills, but it gives customers a little leniency on disconnections and late fees.

Skaret said customers who can't pay their utility bills on time have to come into City Hall and declare the inability to pay and there's a payment contract that they have to agree to.

Siepkner asked Skaret if the City has seen a large number of late payment requests.

Skaret said the City Staff hasn't seen a lot of requests at this point.

Other:

Street Superintendent Phil Markman reported a sewer line has been bored in up to the manhole at the corner of Bluff and Westbriar for the property at 712 South Highway. He said he didn't know if the property's septic system was fully operational yet, but the sewer line has been installed.

Skaret said the septic system will need to be installed when it's completed.

ADJOURNMENT

With no further business, the Utilities Commission meeting was adjourned at 5:45 p.m.

David A. Maschoff, Recording Secretary