

Pipestone, Minnesota
January 3, 2022

Pursuant to due call and notice thereof, a regular meeting of the Pipestone City Council was duly held in the Municipal Building at 6:30 p.m. on the 3rd day of January 2022. Mayor Myron Koets called the meeting to order. Roll call was taken and a quorum was declared. Members present: Myron Koets, Jim Stout, Dan Delaney and Justin Schroyer. Excused: Rodger Smidt. Others present: Kyle Kuphal, Joan Stout, Jeremy Whipple, Cable Access Coordinator Steve Moffitt, City Administrator/City Attorney Jeff Jones and City Clerk Deb Nelson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ADJOURN 2021 COUNCIL SINE DIE

Motion was made by Stout, seconded by Delaney and unanimously carried to adjourn the 2021 City Council Sine Die.

CONVENE 2022 CITY COUNCIL

Motion was made by Delaney, seconded by Stout and unanimously carried to convene the 2022 City Council.

APPROVE AGENDA – ADDITIONS, CHANGES OR DELETIONS

Motion was made by Delaney, seconded by Schroyer and unanimously carried to approve the agenda as presented.

CONSENT AGENDA

Mayor Koets stated the Consent Agenda contains the December 20, 2021 Regular Meeting Minutes and Payment of Claims-Listing of Bills and asked if there was any discussion regarding these items.

Motion was made by Schroyer, seconded by Stout and unanimously carried to approve the Consent Agenda which consisted of the December 20, 2021 Regular Meeting Minutes and Payment of Claims-Listing of Bills in the amount of \$333,933.92 for warrants #065761 to #065836 to be issued in payment thereof.

COMMUNITY CONCERNS

None.

PRESENTATION

Conflict of Interest Policy

Mayor Koets read the Conflict of Interest Policy into record.

CITY OF PIPESTONE
ADMINISTRATIVE POLICY #6
CONFLICTS OF INTEREST

WHEREAS, the following policy of conflicts of interest is hereby adopted:

1. A disclosure and description of the nature of any conflict of interest or possible conflict of interest on the part of any City Council member should be disclosed to the other City Council members and made a matter of record when the interest becomes a matter of City Council actions.
2. Any City Council member having a conflict of interest or possible conflict of interest on any matter should not vote or use his/her personal influence on the matter, and he/she should not be counted in determining the quorum for the meeting, even where permitted by law. The minutes of the meeting should reflect that a disclosure and description of the nature of the conflict was made, the abstention from voting and the quorum situation.
3. Federal Regulations, 24 CFR, Part 570, Uniform Administration Requirements and Minnesota Statutes 412.311 and 471.87-471.89 address conflict of interest. Under these regulations, recipients may not:
 - Obtain personal or financial interest or benefits, including money, favors, gratuities, entertainment or anything of value that may be interpreted as conflict of interest.
 - Obtain a direct or indirect interest in any contract, subcontract or agreement for any activity. This prohibition extends to contracts in which recipients' spouse, minor child, dependent or business associate may have personal or financial interest.
 - Obtain a direct or indirect interest in a contract, subcontract or agreement, include: elected, employed, appointed or contracted individuals; or their firms, of State, County, City or Township; or Grant Administrator.

BE IT FURTHER RESOLVED, that this policy be reviewed annually for the information and guidance of City Council members, and that any new City Council member be advised of the policy upon entering on the duties of his/her office. The Mayor and City Administrator are authorized and directed to see that the foregoing policy is effectuated.

Adopted: January 9, 1995

Prepared by Terry J. Berg
December 29, 1994

Amended by Troy L. Strom
January 22, 2002

Jeremy Whipple, President, Pipestone Development Company, LLC

City Administrator/City Attorney Jones stated the council held a short work session prior to the regular meeting this evening to discuss a Workforce Housing Grant that was designed for small, out-state cities. Preference will be given to small projects and market rate rental units. The proposal by Pipestone Development Company for the Stoeber property is a good fit for the grant. The city would have to provide a \$15,684.00 match. Jones stated the council has already approved an \$11,000.00 grant that could be used for the match. Other eligible match sources include waiver of permit fees and the EDA might be willing to provide some of the match as well.

Jeremy Whipple, President of the Pipestone Development Company, then addressed the council stating the PDC would be renovating the Stoeber building into two apartments with one of the apartments being handicap accessible. Commitments have already been received to rent both units.

Jones noted that later in the meeting the council has an action item that would approve moving forward with the application. The city does not need to commit additional funds nor identify the source of those funds until the application is approved.

LEGAL

Ordinance 136, Fourth Series

City Administrator/City Attorney Jones stated this ordinance is approved annually and establishes fees, charges and compensation for 2022. The following revisions are proposed for 2022:

General Government Compensation

Increase mileage from .56 cents per mile to 58.5 cents per mile.

Park and Recreation Charges

Picnic Table Rental

Increase table rental fee from \$7.50/table to \$10.00/table.

Increase delivery fee from \$25.00 to \$35.00.

Rural Picnic Table Rental

Increase table rental fee from \$10.00/table to \$15.00/table.

Increase delivery fee from \$15.00 to \$35.00.

Hiawatha Lodge

Picnic tables at Lodge in excess of 10 on-site – 10.00/table

Attachment B – Water/Sewer Rates – Customer Access Charge for Water

Increase monthly dollar amount to \$29.00/month unless water is shut off at the curb stop.

Attachment B – Water/Sewer Rates – Customer Access Charge for Sewer

Increase monthly dollar amount to \$14.00/month unless water is shut off at the curb stop.

Attachment B (Continued) – Garbage Rates (Continued)

Increase dumpster fees to reflect increased fees as follows with the addition of Loveseat - \$15.00:

<u>Dumpster Size</u>	<u>Commercial Cost Per Pickup</u>	<u>Cost Per Pickup (Demolition Debris)</u>	<u>Cost Per Pickup House Clean Out</u>	<u>Roofing</u>
1-1/2 Yard	\$24	\$ 52.00	\$ 44.00	\$ 56.00
3 Yard	\$36	\$ 78.00	\$ 66.00	\$ 84.00
4 Yard	\$48	\$104.00	\$ 88.00	\$112.00
6 Yard	\$72	\$156.00	\$132.00	\$168.00
8 Yard	\$96	\$208.00	\$176.00	\$224.00

Dumpster Rentals - 30 day dumpster rental or minimum charge

Couch - \$20.00 * Mattresses - \$25.00 each * Box Springs - \$25.00 each

Hide-a-Bed Couch - \$25.00 * Loveseat - \$15.00

Councilmember Stout introduced Ordinance 136, Fourth Series: AN ORDINANCE ESTABLISHING FEES, CHARGES AND COMPENSATION AS ALLOWED BY CITY CODLE.

ENGINEERING

Liquor Store Parking Lot Improvements Project – Pay Request No. 2

City Administrator/City Attorney Jones stated that Double D Gravel has submitted Pay Request No. 2 in the amount of \$34,475.00 for paving of the liquor store parking lot. This is the final pay request for the project. Bolton & Menk has reviewed the pay request and is recommending council approval.

Motion was made by Delaney, seconded by Schroyer and unanimously carried to approve Pay Request No. 2/Final in the amount of \$34,475.00 to Double D Gravel for the Liquor Store Parking Lot project.

NEW BUSINESS

Resolution 2022-1

Motion was made by Delaney, seconded by Stout and unanimously carried to approve Resolution 2022-1: A RESOLUTION ADOPTING RULES OF ORDER AND PROCEDURE FOR THE CITY COUNCIL IN ACCORANCE WITH THE CITY CODE, CHAPTER 2, SECTION 2.03.

Resolution 2022-2

Motion was made by Delaney, seconded by Schroyer and unanimously carried to approve Resolution 2022-2: A RESOLUTION DESIGNATING THE PIPESTONE COUNTY STAR AS THE OFFICIAL NEWSPAPER FOR THE CITY OF PIPESTONE.

Resolution 2022-3

Motion was made by Schroyer, seconded by Stout and unanimously carried to approve Resolution 2022-3: A RESOLUTION DESIGNATING THE FIRST FARMERS AND MERCHANTS NATIONAL BANK AS AN OFFICIAL DEPOSITORY OF CITY FUNDS.

Resolution 2022-4

Motion was made by Delaney, seconded by Stout and unanimously carried to approve Resolution 2022-4: A RESOLUTION DESIGNATING THE FIRST BANK AND TRUST AS AN OFFICIAL DEPOSITORY OF CITY FUNDS.

Resolution 2022-5

Motion was made by Stout, seconded by Delaney and unanimously carried to approve Resolution 2022-5: A RESOLUTION DESIGNATING THE FIRST STATE BANK SOUTHWEST AS AN OFFICIAL DEPOSITORY OF CITY FUNDS.

Resolution 2022-6

City Administrator/City Attorney Jones stated this resolution authorizes submitting a Workforce Housing Grant application to Department of Employment and Economic Development. The deadline to submit the application is January 11th. It is a competitive grant but Jones believes the city will score high. The city should hear by March if the city has been awarded the grant.

Motion was made by Stout, seconded by Schroyer and unanimously carried to approve Resolution 2022-6: A RESOLUTION FOR AUTHORIZATION TO ENTER INTO A GRANT CONTRACT/FUNDING AGREEMENT PURSUANT TO THE WORKFORCE HOUSING DEVELOPMENT PROGRAM IN ORDER TO OBTAIN FUNDING FROM MINNESOTA HOUSING IN AN AMOUNT NOT TO EXCEED \$31,684.00.

Resolution 2022-7

City Administrator/City Attorney Jones stated Pipestone County Pheasants Forever are requesting exemption from lawful gambling license for their annual Pheasants Forever Banquet to be held March 29, 2022 at the National Guard Armory. They intend to sponsor raffles during the banquet. City staff is recommending Council approve their request with no waiting period. This has been approved in the past.

Motion was made by Delaney, seconded by Schroyer and unanimously carried to approve Resolution 2022-7: A RESOLUTION REGARDING APPLICATION FOR AUTHORIZATION FOR EXEMPTION FROM LAWFUL GAMBLING LICENSE.

Change Meeting Date from Monday, January 17, 2022 at 6:30 p.m. to Tuesday, January 18, 2022 at 6:30 p.m.

Motion was made by Delaney, seconded by Stout and unanimously carried to change the meeting date from Monday, January 17, 2022 at 6:30 p.m. to Tuesday, January 18, 2022 at 6:30 p.m. due to the Martin Luther King Jr holiday.

Cost of Living Adjustment

City Administrator/City Attorney Jones stated city policy allows the council to grant city employees a cost-of-living adjustment equal to the cost-of-living adjustment set by Social Security. For 2022, the Social Security COLA is 5.9%. Jones said a 5% cost of living adjustment is budgeted for in 2022 and asked if the council wishes to grant this adjustment.

Motion was made by Delaney, seconded by Stout and unanimously carried to approve a 5% cost-of-living adjustment for 2022.

Schedule Annual Planning Session

City Administrator/City Attorney stated that since Councilmember Smidt is absent from the meeting, he recommends the council table this item until the January 18th meeting.

Motion was made by Delaney, seconded by Stout and unanimously carried to table scheduling the annual planning session to the January 18th meeting.

League of Minnesota Cities Liability Coverage Waiver Form

City Administrator/City Attorney Jones stated it is necessary for LMCIT members purchasing liability coverage from LMCIT to annually decide whether to waive or not waive liability coverage. The League recommends the council not waive the monetary limits on municipal tort liability established by Minnesota Statutes. Council will also need to appoint Kozlowski Insurance Agency as the city's insurance agent.

Motion was made by Delaney, seconded by Stout and unanimously carried to not waive the monetary limits on municipal tort liability and to appoint Kozlowski Insurance Agency as the city's insurance agent.

Approve Deb VanDyke to Serve as Resident Commission of the Housing & Redevelopment Authority Board of Pipestone

City Administrator/City Attorney Jones stated that Tammy Manderscheid, Executive Director of the HRA, is requesting council approve Deb VanDyke to be appointed to serve as the resident Commission of the HRA effective January 3, 2022.

Motion was made by Stout, seconded by Delaney and unanimously carried to approve Deb VanDyke to serve as resident Commissioner of the HRA effective January 3, 2022.

CLOSING COMMENTS

None.

EXECUTIVE/CLOSED SESSION

Mayor Koets stated that the council would be going into Closed Session to consider an offer to purchase real estate described as All of Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18) and Nineteen (19), all in Block Eleven (11) of the Original Plat to the City of Pipestone and to consider the sale price for the West 77 Feet of Lots 9-12, Block 5, Nichols Addition to the City of Pipestone.

Motion was made by Stout, seconded by Schroyer and unanimously carried to close Regular Session.

Motion was made by Schroyer, seconded by Stout and unanimously carried to open Closed Session.

Motion was made by Schroyer, seconded by Stout and unanimously carried to close Closed Session.

Motion was made by Delaney, seconded by Stout and unanimously carried to open Regular Session.

Mayor Koets stated that staff was directed to pursue grant funding regarding the purchase of All of Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18) and Nineteen (19), all in Block Eleven (11) of the Original Plat to the City of Pipestone and prepare a purchase agreement for the West 77 Feet of Lots 9-12, Block 5, Nichols Addition to the City of Pipestone.

NEW BUSINESS (CONTINUED)

Consider Approval of Targeted Communities Grant Application

Motion was made by Stout, seconded by Schroyer and unanimously carried to authorize submission of the Targeted Communities Grant application.

ADJOURNMENT

Motion was made by Stout, seconded by Schroyer and unanimously carried to adjourn the meeting.

Myron D. Koets
Mayor

ATTEST:

Deb Nelson
City Clerk