

Pipestone, Minnesota  
March 4, 2024

Pursuant to notice and due call, a regular meeting of the Pipestone City Council was held in-person and via Zoom at 6:30 p.m. on the 4<sup>th</sup> day of March 2024. Roll call was taken and a quorum was declared. Members present: Dan Delaney, Rodger Smidt, Scott Swanson, and Verdeen Colbeck. Excused: Danielle Thompson. Others present: Cal Hulstein, Kyle Kuphal, City Engineer Travis Winter via Zoom, City Attorney Jason Hill via Zoom, Cable Access Coordinator Steve Moffitt and City Administrator Deb Nelson.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **APPROVE AGENDA – ADDITIONS, CHANGES OR DELETIONS**

Mayor Delaney stated he would like to amend the agenda to include Item I under New Business “Approve the Appointment of Lee Gorter to the Law Enforcement Liaison Committee.”

Motion was made by Smidt, seconded by Colbeck and unanimously carried to approve the agenda as amended by including Item I under New Business “Approve the Appointment of Lee Gorter to the Law Enforcement Liaison Committee.”

### **CONSENT AGENDA**

Mayor Delaney stated the Consent Agenda contains the February 20, 2024 Regular Meeting Minutes and Payment of Claims-Listing of Bills and asked if there was any discussion regarding these items.

Motion was made by Swanson, seconded by Colbeck and unanimously carried to approve the Consent Agenda which consisted of the February 20, 2024 Regular Meeting Minutes and Payment of Claims-Listing of Bills in the amount of \$419,190.90 for warrants #071755 to # 071848 to be issued in payment thereof.

### **LEGAL**

#### **Ordinance 155, Fourth Series**

Mayor Delaney shared this ordinance was prompted to be updated following FEMA and DNR Flood Insurance Rate Map updates. The ordinance was drafted by the city’s attorney based on a model DNR ordinance. The Planning Commission recently held a public hearing on February 29<sup>th</sup> to consider the ordinance and is recommending council approval. The city will need to update the floodplain ordinance to remain in the federal floodplain insurance program. The ordinance will need to be introduced with approval at the March 18<sup>th</sup> council meeting.

Mayor Delaney introduced Ordinance 155, Fourth Series: AN ORDINANCE OF THE CITY OF PIPESTONE REPEALING AND REPLACING SECTION 153.21 OF THE PIPESTONE CITY CODE REGARDING FLOODPLAINS.

## **OLD BUSINESS**

### **Magellan Pipeline Reroute Project**

Mayor Delaney shared that city staff had attended a meeting with ONEOK, formally Magellan, representatives who shared a map showing two proposed routes for the pipeline reroute in Pipestone County. Two public meetings have been scheduled to gather more information from the public. They will be held in Pipestone March 19<sup>th</sup> and 20<sup>th</sup>. The ONEOK representatives had also informed city staff that routes that extend farther away from the Monument and cemeteries have a greater environmental impact due to wetlands. Once the information has been gathered from the public, ONEOK will use that information to create a final proposed route that they will submit to the Public Utilities Commission.

Delaney then stated that the proposed routes were unacceptable as the city has been in negotiations with an abutting property owner to expand New Woodlawn cemetery which is in the area of the two routes. He stated the city is not in favor of having the pipeline run through or near the cemeteries or the Pipestone National Monument. Delaney also stated that he agreed with the Human Rights Commission's view of the route during a previous council meeting of having a five-mile buffer.

## **NEW BUSINESS**

### **Resolution 2024-21**

On February 29<sup>th</sup>, the Board of Appeals and Adjustments held a public hearing on a Variance application by Hord Feed and Grain, LLP to construct an enclosed ground level scale associated with the mill and grain elevator. The proposed structure is planned to be within the required property line setbacks at 401 4<sup>th</sup> St. SE. The board is recommending that council approve Resolution 2024-21, granting the Variance with the conditions that the owner submits to the City Council, on an annual basis, a dust control plan for City Council review. The dust control plan shall include measures for spraying the area of the structure for dust control and to the extent possible, closing the doors on the enclosed structure.

Motion was made by Smidt, seconded by Swanson and unanimously carried to approve Resolution 2024-21: RESOLUTION APPROVING A VARIANCE TO CONSTRUCT A SCALE WITHIN A SETBACK AT 401 4<sup>TH</sup> STREET SE IN THE CITY OF PIPESTONE.

### **Resolution 2024-22**

The Pipestone Sportsmen's Club is requesting exemption from lawful gambling license for their special event to be held April 20, 2024 at the National Guard Armory. They intend to sponsor

raffles during the event. City staff is recommending Council approve their request with no waiting period.

Motion was made by Swanson, seconded by Colbeck and unanimously carried to approve Resolution 2024-22: A RESOLUTION REGARDING AN APPLICATION FOR AUTHORIZATION FOR EXEMPTION FROM LAWFUL GAMBLING LICENSE.

#### Resolution 2024-23

Mayor Delaney stated that EDA Director Justin Schroyer has received confirmation from First Children's Finance of an award accepting the City of Pipestone in the Rural Child Care Innovation Program. To move forward with the program, a memorandum of agreement needs to be signed with First Children's Finance who will be providing consulting services for the program. This resolution authorizes the city to enter into a Memorandum of Agreement with First Children's Finance and also authorizes Justin Schroyer to serve as the City's Core Team Lead for the program implementation.

Motion was made by Colbeck, seconded by Smidt and unanimously carried to approve Resolution 2024-23: A RESOLUTION FOR AUTHORIZATION TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN FIRST CHILDREN'S FINANCE AND THE CITY OF PIPESTONE.

#### Approve Fund Transfer from General Fund to Water Infrastructure Reserve Fund

Mayor Delaney stated that annually, through working with the Minnesota Public Facilities Authority, the City is obligated to set aside funds into a special water reserve fund. The amount set aside each year is dependent upon the number of gallons of water that flow through the city's system. Based upon flows for 2023, \$72,962.00 will need to be transferred from the City's general fund to the special water infrastructure fund.

Motion was made by Swanson, seconded by Smidt and unanimously carried to approve the fund transfer of \$72,962.00 from the General Fund to the Water Infrastructure Reserve Fund.

#### Consider Proposals of Qualifications for Airport Engineering Services for Projects at the Pipestone Municipal Airport

During the February 5<sup>th</sup> meeting, council approved advertising for requests for proposals for qualified engineering firms who can provide technical assistance for projects at the airport. The FAA requires sponsors complete an airport consultant selection process every five years and the last one completed by Pipestone was in 2014. One proposal has been received from Bolton & Menk. Bolton & Menk is currently leading Pipestone through a master plan update, among other projects at the airport and, therefore, staff is recommending council approve the proposal from Bolton & Menk.

Motion was made by Smidt, seconded by Swanson and unanimously carried to approve the proposal for engineering services for the airport from Bolton & Menk.

### Consider Amendments to the Pipestone Firefighter's Relief Association By-laws

The Pipestone Fire Relief Association met on January 23, 2024 and is formally requesting that the city council consider and approve changes to Article VI, Section 6 and 6A and Article VII, Section 2 and Section 3.

Motion was made by Smidt, seconded by Colbeck and unanimously carried to approve the amendment to the Firefighter's Relief Association By-laws as presented.

### Cable Access Equipment Purchase

Cable Access Coordinator Steve Moffit is working to improve the City's Cable Access Channel and is requesting that the Council approve the purchase of an Info Vue service license and equipment. The estimated cost of the equipment and license is \$14,823.50. Steve has also indicated that there may be a few extra added costs associated with this project. Funds are available within the Cable Access fund for this project.

Motion was made by Colbeck, seconded by Smidt and unanimously carried to approve the purchase of the Info Vue service license and equipment for the city's cable access department.

### Consider Appointment of Mary Washington-Lewis to the Human Rights Commission

Mayor Delaney stated that Mary Washington-Lewis has submitted her letter of interest to serve on the Human Rights Commission. Staff is recommending council approve this appointment.

Motion was made by Swanson, seconded by Smidt and unanimously carried to approve the appointment of Mary Washington-Lewis to the Human Rights Commission.

### Approve the Appointment of Lee Gorter to the Law Enforcement Liaison Committee

Mayor Delaney stated that Lee Gorter has submitted his letter of interest to serve on the Law Enforcement Liaison Committee. Staff is recommending council approve this appointment.

Motion was made by Smidt, seconded by Colbeck and unanimously carried to approve the appointment of Lee Gorter to the Law Enforcement Liaison Committee.

### **CLOSING COMMENTS**

Mayor Delaney shared that Councilmember Danielle Thompson was unable to be at the meeting tonight as she has been ill. He stated she has been doing a fine job and the council is fortunate to have her on board.

**ADJOURNMENT**

Motion was made by Colbeck, seconded by Smidt and unanimously carried to adjourn the meeting at 7:06 p.m.

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Dan Delaney  
Mayor

ATTEST:

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Deb Nelson  
City Administrator