

Pipestone, Minnesota
September 19, 2022

Pursuant to due call and notice thereof, a regular meeting of the Pipestone City Council was duly held via Zoom and in-person in the Municipal Building at 6:30 p.m. on the 19th day of September 2022. Mayor Myron Koets called the meeting to order. Roll call was taken and a quorum was declared. Members present: Myron Koets, Jim Stout, Rodger Smidt, Dan Delaney and Justin Schroyer. Absent: None. Others present: Kyle Kuphal, Verdeen Colbeck, Rodger Elgersma, Fred Portz, Senior Municipal Advisor for Ehlers & Associates Rebecca Kurtz via Zoom, City Engineer Travis Winter via Zoom, 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.

APPROVE AGENDA – ADDITIONS, CHANGES OR DELETIONS

There being no additions, changes or deletions to the agenda, motion was made by Smidt, seconded by Stout and unanimously carried to approve the agenda as presented.

CONSENT AGENDA

Mayor Koets stated the Consent Agenda contains the August 29, 2022 Special Meeting Minutes; September 6, 2022 Special Meeting Minutes; September 6, 2022 Regular Meeting Minutes; Payment of Claims-Listing of Bills; August 2022 Financial Reports; and Informational Reports and asked if there was any discussion regarding these items.

Motion was made by Schroyer, seconded by Smidt and unanimously carried to approve the Consent Agenda which consisted of the August 29, 2022 Special Meeting Minutes; September 6, 2022 Special Meeting Minutes; September 6, 2022 Regular Meeting Minutes; Payment of Claims-Listing of Bills in the amount of \$395,900.05 for warrants #067618 to #067743 to be issued in payment thereof; August 2022 Financial Reports; and Informational Reports.

COMMUNITY CONCERNS

Fred Portz, 903 2nd Ave SE, asked the following questions regarding the 2022 street project:

- Why was the street narrowed from what it previous was;
- Why is there no off-street parking for the apartment house in the project area;
- Why is the project at a standstill?

City Administrator/City Attorney Jones stated City Engineer Travis Winter will follow-up with Mr. Portz to answer his questions.

LEGAL

Ordinance 138, Fourth Series

City Administrator/City Attorney Jones stated this ordinance would amend the City Code to remove any references to the School District regarding the library. The ordinance will need to be introduced with approval at the October 3rd council meeting.

Councilmember Schroyer introduced Ordinance 138, Fourth Series: AN ORDINANCE AMENDING CHAPTER 30, SECTION 30.048 ENTITLED “JOINT CITY/SCHOOL PUBLIC LIBRARY” BY CHANGING THE TITLE TO “PUBLIC LIBRARY” AND DELETING SUBD. B IN ITS ENTIRETY; BY CHANGING SECTION 30.049 ENTITLED “JOINT LIBRARY BOARD” TO “PUBLIC LIBRARY BOARD” AND REVISING LANGUAGE IN SUBD. A ENTITLED “ESTABLISHMENT AND COMPOSITION” AND SUBD. C2 AND 6 ENTITLED “POWERS AND DUTIES.”

ENGINEERING

2nd Street SE Street & Utility Improvements Project – Pay Request No. 7

Duininck, Inc. has submitted Pay Request No. 7 in the amount of \$133,959.34 for work completed on the 2nd Street SE Street & Utility Improvements project. Bolton & Menk has reviewed the pay request and is recommending council approval.

City Engineer Winter stated this pay request is to reduce retainage. The project is substantially complete with just a few concrete punch list items left to resolve. The project should be complete within the next two months. \$33,000.00 is still being held.

Motion was made by Stout, seconded by Smidt and unanimously carried to approve Pay Request No. 7 in the amount of \$133,959.34 to Duininck, Inc. to release partial retainage for the 2nd Street SE Street & Utility Improvements Project.

11th Street NE Extension – 2021 Improvement – Pay Request No. 2/Final

Double D Gravel has submitted Pay Request No. 2/Final in the amount of \$51,494.02 for work completed on the 11th Street NE Extension project. Bolton & Menk has reviewed the pay request and is recommending council approval.

City Engineer Winter explained storm sewer, concrete structures and pipes have all been installed and the project is now complete. This pay request will close out Phase I of the project.

Motion was made by Stout and seconded by Schroyer to approve Pay Request No. 2/Final in the amount of \$51,494.02 for work completed on the 11th Street NE Extension – 2021 Improvement project. Upon vote taken; Ayes: Koets, Stout, Smidt, Schroyer; Nays: Delaney, motion carried 4-1.

NEW BUSINESS

Resolution 2022-50

Rebecca Kurtz, Senior Municipal Advisor with Ehlers & Associates, presented the Sale Day report for the City of Pipestone's \$311,000 General Obligation Equipment Certificates, Series 2022B. Ms. Kurtz explained the purpose of the equipment certificates is to provide funds to assist with the purchase of an Emergency Response Vehicle for the Pipestone Fire Department. First Farmers & Merchants National Bank has issued a proposal as the lead partnering with First Bank & Trust and First State Bank Southwest. The interest rate is 4.25% with a closing date of October 6, 2022 at which times funds will be available.

Motion was made by Smidt, seconded by stout and unanimously carried to approve Resolution 2022-50: A RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION EQUIPMENT CERTIFICATES OF INDEBTEDNESS, SERIES 2022B, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$313,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT.

Resolution 2022-51

City Administrator/City Attorney Jones explained this resolution calls for the public hearing on the proposed assessment for the 2021 Mill & Overlay Improvements project. Staff is recommending scheduling the public hearing for October 17, 2022 at approximately 6:30 p.m. This is part of the assessment process.

Motion was made by Stout, seconded by Smidt and unanimously carried to approve Resolution 2022-51: A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT.

Resolution 2022-52

City Administrator/City Attorney Jones explained this resolution calls for the public hearing on the proposed assessment for the 2nd Street SE Street & Utility Improvements project. Staff is recommending scheduling the public hearing for October 17, 2022 at approximately 6:30 p.m. This is part of the assessment process.

Motion was made by Delaney, seconded by Schroyer and unanimously carried to approve Resolution 2022-52: A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT.

Resolution 2022-53

City Administrator/City Attorney Jones explained this resolution, if approved, will establish the preliminary levy payable 2023 at 13.5%. The preliminary levy is due to the county by September 30th and can be reduced, not increased, before the final levy is established at the end of December.

Councilmember Delaney stated he can't support a 13.5% preliminary levy based on the presentation provided to the council during the work session prior to the regular meeting.

Motion was made by Stout and seconded by Smidt to approve Resolution 2022-53: A RESOLUTION ESTABLISHING THE PRELIMINARY LEVY PAYABLE 2023. Upon vote taken; Ayes: Koets, Stout, Smidt, Schroyer; Nays: Delaney, motion carried 4-1.

Resolution 2022-54

City Clerk Nelson stated the city had received a grant to purchase and install wayfaring trail signs through the Statewide Health Improvement Program (SHIP). Eight – 8' x 8' cedar poles will be used for the signage and Pipestone Building Materials has donated two of the eight poles needed. This resolution accepts the donation.

Motion was made by Smidt, seconded by Stout and unanimously carried to approve Resolution 2022-54: A RESOLUTION ACCEPTING DONATION.

Approve the Resignation of Roger Elgersma from the Planning Commission

City Administrator/City Attorney Jones stated Roger Elgersma has informed the city of his resignation from the Planning Commission. Council will need to approve the resignation.

Motion was made by Smidt, seconded by Schroyer and unanimously carried to approve the resignation of Roger Elgersma from the Planning Commission.

Approve the Appointment of Jennifer Cronin to the Planning Commission

City Administrator/City Attorney Jones stated Jennifer Cronin has submitted her letter of interest in serving on the Planning Commission. Council will need to approve the appointment.

Roger Elgersma, 212 4th Ave SE, stated he has reservations with the appointment of Ms. Cronin to the Planning Commission. He expressed he doesn't believe that Ms. Cronin would be a good fit for the Commission.

Motion was Schroyer and seconded by Delaney to approve the appointment of Jennifer Cronin to the Planning Commission. Upon vote taken; Ayes: Koets, Stout, Delaney, Schroyer; Nays: Smidt, motion carried 4-1.

Consider WM Plumbing & Heating Request for Historic Loan/Grant

City Administrator/City Attorney Jones informed the council that Weston Matthiesen has submitted a request for an historic loan/grant to tuckpoint and replace some blocks that have deteriorated on the building he owns at 202 East Main St. Jones stated the work won't begin until next Spring. Loan amount requested - \$5,600; grant amount - \$5,600 with owner equity of \$4,800. There is \$17,666.00 left in the Blight Fund.

Motion was made by Delaney, seconded by Smidt and unanimously carried to approve the Historic Loan/Grant request to WM Plumbing & Heating to tuckpoint and replace some deteriorating blocks on the building he owns at 202 East Main St.

Possible Uses of American Rescue Plan Funds

City Administrator/City Attorney Jones stated that he had researched what other cities were using their American Rescue Funds for and found that most of cities were using the funds for infrastructure needs. The funds have to be used by December 31, 2022. Jones then shared a couple of options as follows:

- Reduction in revenue due to COVID – In 2021 the council used funds to offset reduction in Lodging Tax, reduction in airport fuel sales and reduction in Recreation charges for services.
- Investment in Infrastructure – In 2021, the council used funds to pay for water meters to allow remote reading and storm water connection to service a facility serving underserved and low-income populations (Caring Hands Dental).

Jones also shared that this year the council has discussed using the new ARP allocation (\$214,067) for the new fire truck (now being paid with Equipment Certificates), to pay for 11th Street Paving and to pay towards paving Industrial Road and asked how the council wished to proceed.

Motion was made by Smidt, seconded by Delaney and unanimously carried to table this item to allow council time to determine which would be the best use of the funds.

Schedule Public Hearing to Vacate Alleys

Bud Johnston, Keepers of the Sacred Tradition of Pipemakers, has requested council vacate the north/south and east/west alleys in Block 64, Wallbridge and Moore's Addition. Part of the vacation process is to conduct a public hearing. Staff is recommending scheduling the public hearing for Monday, October 17th at approximately 6:30 p.m.

Motion was made by Smidt, seconded by Stout and unanimously carried to schedule the public hearing to vacate the north/south and east/west alleys in Block 64, Wallbridge and Moore's Addition for Monday, October 17th at approximately 6:30 p.m.

Approve Advertising for Airport Consultant

City Administrator/City Attorney Jones explained the FAA requires the city to periodically advertise for an airport consultant. The council must approve advertising for the position.

Motion was made by Stout, seconded by Smidt and unanimously carried to approve advertising for an airport consultant to develop the Airport Master Plan.

COUNCIL LIAISON REPORTS

Human Rights Commission Liaison Koets reported the Commission continues to meet with their primary focus being social justice.

Economic Development Authority Boardmember Smidt reported a presentation was prepared by Building and Zoning Administrator Doug Fortune on the planned renovation and proposed budget for the 622 3rd Ave SW project house. Smidt stated this is a major project that will take some time with a project budget of approximately \$200,000.00.

CLOSING COMMENTS

City Administrator/City Attorney Jones reminded residents of the Fall Drop-Off dates of October 3rd – 6th. Times will be 7:00 a.m. to 7:00 p.m. Monday through Thursday and Friday from 7:00 a.m. to 12:00 p.m.

Councilmember Delaney asked whose responsibility is it to coordinate removal of the poles and internet peds which has been causing delays with the 10th St SW and 4th St SE project.

City Engineer Winter stated it was Bolton & Menk's responsibility and they began coordinating these efforts in January. Winter explained Mediacom has seen quite a bit of turnover in the company which is part of the cause of the delays along with a line that is still attached to one of Xcel Energy's poles. The contractor is still on-track with the project and relocations will be happening within the next two weeks.

Councilmember Delaney then asked Winter about Mr. Portz's concerns he had shared during Community Concerns on the 2022 street project.

Mayor Koets stated Winter will be meeting with Mr. Portz to address his concerns.

ADJOURNMENT

Motion was made by Stout, seconded by Smidt and unanimously carried to adjourn the meeting at 7:21 p.m.

Myron D. Koets
Mayor

ATTEST:

Deb Nelson
City Clerk