

Pipestone, Minnesota  
October 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 3<sup>rd</sup> day of October 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, Eric DeRycke, Verdeen Colbeck, Officer Rowden, City Engineer Travis Winter, 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**

City Administrator/City Attorney Jones stated he would like amend the agenda by removing Item A under Legal “Ordinance 138, Fourth Series” and adding Item H under New Business “Resignation of Doug Fortune.”

Motion was made by Smidt, seconded by Stout and unanimously carried to approve the amended agenda by removing Item A under Legal “Ordinance 138, Fourth Series” and adding Item H under New Business “Resignation of Doug Fortune.”

### **CONSENT AGENDA**

Mayor Koets stated the Consent Agenda consists of the September 19, 2022 Special Meeting Minutes; September 19, 2022 Regular Meeting Minutes; and Payment of Claims – Listing of Bills and asked if there was any discussion regarding these items.

Motion was made by Stout, seconded by Delaney and unanimously carried to approve the Consent Agenda which consists of the September 19, 2022 Special Meeting Minutes; September 19, 2022 Regular Meeting Minutes; and Payment of Claims – Listing of Bills in the amount of \$1,973,870.03 for warrants #067744 to #067829 to be issued in payment thereof.

### **COMMUNITY CONCERNS**

Eric DeRycke, 113 5<sup>th</sup> St NE, voiced his displeasure regarding policy changes being recommended by Erica Volkir, Boardmember on the Planning Commission, to the Animal Ordinance. He stated he was here to make sure this item was not on the agenda.

Mayor Koets informed Mr. DeRycke of the procedure the council must take when making any changes to the code book as recommended by Committees and Commissions.

### **LEGAL**

## **ENGINEERING**

### **2022 Street & Utility Improvements Project – Pay Request No. 4**

City Administrator/City Attorney Jones stated Hulstein Excavating has submitted Pay Request No. 4 in the amount of 373,890.66 for work completed on the 2022 Street & Utility Improvements Project. Bolton & Menk has reviewed the pay request and is recommending council approval.

Motion was made by Smidt, seconded by Stout and unanimously carried to approve Pay Request No. 4 in the amount of \$373,890.66 to Hulstein Excavating for work completed on the 2022 Street & Utility Improvements Project.

### **10<sup>th</sup> Street SW & 4<sup>th</sup> Street SE Improvements – 2022 – Pay Request No. 2**

City Administrator/City Attorney Jones stated Duininck, Inc. has submitted Pay Request No. 2 in the amount of \$218,877.04 for work completed on the 10<sup>th</sup> St SW & 4<sup>th</sup> St SE improvements. Bolton & Menk has reviewed the pay request and is recommending council approval.

Councilmember Delaney asked how the project was going with City Engineer Winter responding that the utility work has been completed, grading and graveling will start on the 10<sup>th</sup> and relocating the three poles by Xcel is hopefully being scheduled tomorrow.

Motion was made by Stout, seconded by Smidt and unanimously carried to approve Pay Request No. 2 in the amount of \$218,877.04 to Duininck, Inc. for work completed on the 10<sup>th</sup> Street SW & 4<sup>th</sup> Street SE Improvements – 2022.

Jones then informed the council that Double D Gravel has been contracted to pave 11<sup>th</sup> St NE and he was informed by Double D that they will be pouring concrete for the street on 11<sup>th</sup> St NE instead of asphalt at no additional cost.

Winter reported that paving of 11<sup>th</sup> Street will be completed by the end of the week and the sealcoat project was completed last week. The Public Works Department will be sweeping up the excess gravel sometime next week.

## **NEW BUSINESS**

### **Fire Prevention Week Proclamation**

Mayor Koets read the Fire Week Proclamation proclaiming the week of October 9-15, 2022 as Fire Prevention Week in Pipestone.

### **Indigenous Peoples' Day Proclamation**

Mayor Koets read the Indigenous Peoples' Day Proclamation proclaiming October 10, 2022 as Indigenous Peoples' Day in Pipestone.

### Approve Advertising for Rental of North Hiawatha Ag Land and Airport Ag Land

City Administrator/City Attorney Jones stated both the North Hiawatha Ag Land Lease and the Airport Ag Land Lease will expire December 31<sup>st</sup> of this year. Council will need to approve advertising for both leases. Staff is recommending accepting sealed bids until 5:00 p.m. on November 7<sup>th</sup> at which time, bids will be publicly opened.

Motion was made by Schroyer and seconded by Smidt to approve advertising for the North Hiawatha Ag Land and Airport Ag Land.

Councilmember Delaney asked if the city should look at some type of lease for the types of grain that is being grown. He stated this seems to be the norm now with land leases.

Councilmember Schroyer stated he felt the cash rent option would be best for budgeting purposes.

Motion was made by Delaney to amend the original motion to add using a variable rate.

Mayor Koets asked for a second to the motion three times. Motion failed for lack of a second.

Motion was made by Schroyer, seconded by Smidt and unanimously carried to approve the original motion to approve advertising for the North Hiawatha and Airport Ag land leases for a term of three years.

### Approve Hartquist Funeral Home Conditional Use Permit

City Administrator/City Attorney Jones stated the Planning Commission conducted a public hearing to consider a Conditional Use Permit application from Jeff Hartquist, owner of Hartquist Funeral Home. Mr. Hartquist would like to build a new funeral home on property located at 400 2<sup>nd</sup> Ave SW in Pipestone. This property is zoned as R-2, Urban Residential District. A funeral home is allowed in an R-2 Zone with an approved conditional use permit. The Planning Commission, with a unanimous vote, is recommending council approve the conditional use permit for Hartquist Funeral Home.

Motion was made by Delaney, seconded by Stout and unanimously carried to approve the conditional use permit for Hartquist Funeral Home to build a new funeral home on property located at 400 2<sup>nd</sup> Ave SW.

### Resolution 2022-55

City Engineer Winter explained that annually the Utility Committee considers possible street reconstruction projects. The area being considered for 2023 is located adjacent to and north of the current 2022 street project. The Public Facilities Authority has been notified of the proposed project and this resolution, if approved, would start the process of preparing a report to determine if the project would be feasible or not. Winter also noted the project could be paused if it became necessary.

Motion was made by Stout, seconded by Smidt and unanimously carried to approve Resolution 2022-55: A RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT.

Approve Chamber of Commerce Request for Council Action

City Administrator/City Attorney Jones stated the Chamber of Commerce will be conducting their 8<sup>th</sup> Annual Trunk or Treat and Downtown Candy Walk on Monday, October 31<sup>st</sup>. They are requesting the following:

- Permission to close the 100 and 200 blocks of West Main St and the 100 block of East Main St from 3:00 p.m. to 6:30 p.m.
- Street closed signs, barricades and a few trash cans at the following:
  - On West Main St by Liberty Pawn
  - On East Main St by First Farmers & Merchants Bank
  - On the intersections of 2<sup>nd</sup> Avenue SW/NW and Hiawatha Avenue N/S

This has been approved in the past.

Motion was made by Delaney, seconded by Smidt and unanimously carried to approve the request of the Chamber of Commerce for their 8<sup>th</sup> Annual Trunk or Treat and Downtown Candy Walk on Monday, October 31<sup>st</sup>.

Reschedule Public Hearing Date for the 2021 Mill & Overlay Improvements Project Assessment and the 2<sup>nd</sup> Street SE Street & Utility Improvements Project Assessment

City Administrator/City Attorney Jones stated it will be necessary to reschedule the public hearing date for the 2021 Mill & Overlay Improvements Project Assessment and the 2<sup>nd</sup> Street SE Street & Utility Improvements Project Assessment for Thursday, October 20, 2022 at approximately 6:30 p.m. due to publication requirements.

Motion was made by Stout, seconded by Schroyer and unanimously carried to reschedule the 2021 Mill & Overlay Improvements Project Assessment and the 2<sup>nd</sup> Street SE Street & Utility Improvements Project Assessment for Thursday, October 20, 2022 at approximately 6:30 p.m.

Resignation of Doug Fortune

City Administrator/City Attorney Jones shared with the council that Building and Zoning Administrator Doug Fortune has submitted his letter of resignation for council approval.

Mr. Fortune then addressed the council informing them that he has submitted his resignation as the Building and Zoning Administrator effective immediately and that his last day of employment will be November 23, 2022. He thanked the council, city employees and commission members for the experiences the job has given him.

Councilmember Delaney thanked Doug for his years of service.

Mayor Koets thanked Doug for taking the lead on blighted property efforts.

City Administrator/City Attorney Jones recognized Doug's role with the Minnesota West/EDA/City project houses program stating how instrumental he was in the success of the program.

Motion was made by Stout, seconded by Smidt and unanimously carried to approve the resignation of Doug Fortune as the Building and Zoning Administrator effective immediately.

### **CLOSING COMMENTS**

Councilmember Schroyer shared with the council the status of the library stating there will be limited access to the public, quite like it was during COVID. During the School Board meeting on October 11<sup>th</sup>, the Board will be addressing the confusion on the division of books, etc. between the school and the library.

### **ADJOURNMENT**

Motion was made by Delaney, seconded by Smidt and unanimously carried to adjourn the meeting at 7:00 p.m.

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Myron D. Koets  
Mayor

ATTEST:

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Deb Nelson  
City Clerk