

Pipestone, Minnesota
January 19, 2021

Pursuant to due call and notice thereof, a regular meeting of the Pipestone City Council was duly held via Zoom in the Municipal Building at 6:30 p.m. on the 19th day of January 2021. 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, Martin Swenson, Taya DeRycke, JoAnn Arbach, Amanda Hoss, Ryan Lubke, Jeremy Whipple, Chamber Executive Director Erica Volkir, Chamber Administrative Assistant Tom Steffes, City Engineer Jason Zinter, Cable Access Coordinator Steve Moffitt, City Administrator/City Clerk Jeff Jones and City Clerk Deb Nelson.

APPROVE AGENDA – ADDITIONS, CHANGES OR DELETIONS

Mayor Koets asked if there were any changes to the agenda.

City Administrator/City Attorney Jones stated he would like to amend the agenda to include Item L under New Business – Consider Approving the Appointment of Emaleigh Vreeman to the Housing & Redevelopment Board; include Item C under Executive Session – Consider the Possible Purchase of Lot 6, Block 3, Nichols Addition to the City of Pipestone and remove Item F from New Business.

Motion was made by Stout and seconded by Delaney to approve the amended agenda which includes Item L under New Business – Consider Approving the Appointment of Emaleigh Vreeman to the Housing & Redevelopment Board; include Item C under Executive Session – Consider the Possible Purchase of Lot 6, Block 3, Nichols Addition to the City of Pipestone and remove Item F from New Business. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Nays: none, motion carried 4-0.

City Administrator/City Attorney Jones noted a correction to the address in the Commercial Demolition Program Application from Chase Gorter. The address should be 613 3rd Ave SW and not 226 2nd St NW as stated in the memorandum.

CONSENT AGENDA

Mayor Koets stated the Consent Agenda contains the January 4, 2021 Regular Meeting Minutes; January 11, 2021 Annual Planning Session Minutes; Payment of Claims-Listing of Bills; December 2020 Financial Reports; and Informational Reports and asked if there was any discussion regarding these items.

Motion was made by Stout and seconded by Schroyer to approve the Consent Agenda which consisted of the January 4, 2021 Regular Meeting Minutes; January 11, 2021 Annual Planning Session Minutes; Payment of Claims-Listing of Bills in the amount of \$2,775,787.21 for warrants #063325 to #063443 to be issued in payment thereof; December 2020 Financial Reports; and Informational Reports. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Nays: none, motion carried 4-0.

COMMUNITY CONCERNS

None.

LEGAL

Ordinance 122, Fourth Series

Building and Zoning Administrator Doug Fortune explained to the council that he had added the revised language regarding solar panels in residential neighborhoods shall be structure (rooftop) mounted only. Ground mounted solar panels are not allowed as requested at the January 4, 2021 meeting.

Councilmember Delaney asked if any consideration was given to any noise, size, shadow, or displacement of trees for wind towers with Fortune responding these items will be addressed with the permitting and Conditional Use Permitting of tower within the city limits.

Motion was made by Stout and seconded by Schroyer to approve Ordinance 122, Fourth Series: AN ORDINANCE AMENDING CHAPTER 11, SECTION 11.42 ENTITLED “ENERGY CONVERSION SYSTEMS, WIND AND SOLAR” BY CHANGING LANGUAGE IN ITS ENTIRETY TO PROVIDE A MORE IN-DEPTH AND COMPREHENSIVE PROCESS FOR REQUESTS OF WIND TOWERS AND SOLAR GARDENS LOCATED WITHIN THE CITY OF PIPESTONE. Upon roll call vote; Ayes: Koets, Stout, Schroyer; Nayas: Delaney, motion carried 3-1.

Ordinance 123, Fourth Series

City Administrator/City Attorney Jones stated this ordinance will establish fees, charges and compensation as allowed city code. It was introduced at the January 4th Council meeting and is now ready for council approval. The following revisions are proposed:

General Government Compensation

Decrease mileage from 57.5 cents per mile to .56 cents per mile.

Park and Recreation Charges

Revise Hiawatha Lodge rentals to the following:

Security Deposit	300.00
Hiawatha Lodge	300.00
White Linen Tablecloth	5.00/linen

Attachment B – Water/Sewer Rates

Increase residential and commercial water rates from .81 per 100 gallons to .85 per 100 gallons.

Increase residential sewer rates from .90 per 100 gallons to .95 per 100 gallons.

Increase commercial sewer rates from .90 per 100 gallons to .95 per 100 gallons.

Increase Customer Access Charge for Water from \$27.52 per month to \$28.00 per month.

Increase Customer Access Charge for Sewer from \$12.92 per month to \$13.00 per month.

Attachment B Continued – Garbage Rates

Increase the monthly fee of the 35-gallon tote from \$10.50 to \$13.00.

Increase the monthly fee of the 65-gallon tote from \$14.50 to \$15.00.

Increase the monthly fee of the 95-gallon tote from \$16.50 to \$17.00.

Attachment B Continued – Garbage Rates Continued

Increase dumpster fees to reflect increased fees as follows:

<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	\$ 50.00	\$ 40.00	\$ 56.00
3 Yard	\$36	\$ 75.00	\$ 60.00	\$ 84.00
4 Yard	\$48	\$100.00	\$ 80.00	\$112.00
6 Yard	\$72	\$150.00	\$120.00	\$168.00
8 Yard	\$96	\$200.00	\$160.00	\$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 each

Motion was made by Stout and seconded by Delaney to approve Ordinance 123, Fourth Series: AN ORDINANCE ESTABLISHING FEES, CHARGES AND COMPENSATION AS ALLOWED BY CITY CODE. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Nays: none, motion carried 4-0.

NEW BUSINESS

Resolution 2021-7

City Administrator/City Attorney Jones stated he is recommending council move this item to the end of New Business since Councilmember Rodger Smidt is unable to be at the meeting at this time and a four-fifths majority vote is required for this resolution.

Resolution 2021-8

City Administrator/City Attorney Jones informed the council that this resolution, if approved, would request that MNDOT conduct a speed study at the intersection of Trunk Highway 30 and

8th Ave SW in Pipestone due to a new elementary school being constructed which the city believes will increase vehicle and pedestrian traffic at this intersection. He said the only cost of this speed study required of the city is a \$5,000 participation fee.

Motion was made by Schroyer and seconded by Stout to approve Resolution 2021-8: A RESOLUTION REQUESTING THE MINNESOTA DEPARTMENT OF TRANSPORTATION CONDUCT A SPEED STUDY AT THE INTERSECTION OF TRUNK HIGHWAY 30 AND 8TH AVENUE SW IN PIPESTONE. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Naves: none, motion carried 4-0.

Resolution 2021-9

City Administrator/City Attorney Jones shared three donations have been received as follows:

- Anonymous donation in the amount of \$500 donated to the water fund.
- Ron Moffitt \$10.00 donation to assist the city with “Lights at the Lodge”.
- Pipestone Area Community Foundation donation of \$1,000 donated in 2020 to assist the city with “Lights at the Lodge”.

This resolution accepts the donations.

Motion was made by Delaney and seconded by Stout to approve Resolution 2021-9: A RESOLUTION ACCEPTING DONATIONS. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Naves: none, motion carried 4-0.

Resolution 2021-10

City Administrator/City Attorney Jones stated this resolution, if approved, receives the feasibility report for the improvement of 2nd Street SE from 4th Avenue SE to 10th Avenue SE project and since this project would be assessed, calls for a public hearing to be held February 16, 2021.

City Engineer Zinter stated this project consists of street improvements, storm sewer system improvements, sanitary sewer system improvements and water distribution improvements. The project is being proposed to strengthen the integrity of the surface and underground infrastructure network in this section of Pipestone.

Motion was made by Stout and seconded by Schroyer to approve Resolution 2021-10: A RESOLUTION RECEIVING FEASIBILITY REPORT AND CALLING HEARING ON IMPROVEMENT. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Naves: none, motion carried 4-0.

Resolution 2021-11

City Administrator/City Attorney Jones stated this resolution, if approved, orders preparation of report on the proposed 2021 mill and overlay project consisting of 20 blocks identified in the resolution.

Motion was made by Delaney and seconded by Stout to approve Resolution 2021-11: A RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Nays: none, motion carried 4-0.

Consider Approval of Chase Gorter/Chase Gorter Enterprises Commercial Demolition Program Application

City Administrator/City Attorney Jones stated a Commercial Demolition Program Application has been received from Chase Gorter/Chase Gorter Enterprises requesting reimbursement of \$2,215, 50% of the cost of the demolition of a blighted house at 613 3rd Ave SW through the city's demolition program.

Motion was made by Stout and seconded by Schroyer to approve the Commercial Demolition Program Application of Chase Gorter/Chase Gorter Enterprises in the amount of \$2,215.00. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Nays: none, motion carried 4-0.

Consider Acquisition of 622 3rd Ave SE

City Administrator/City Attorney Jones informed the council this property will tax forfeit to the county in February. The city has an opportunity to accept this parcel and since it is condemned, the council can either use it as a project house between the EDA and Minnesota West or demolish it.

Motion was made by Delaney and seconded by Stout to notify the County that the City wishes to purchase this property. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Nays: none, motion carried 4-0.

Consider One, Five & Ten Year Plans

City Administrator/City Attorney Jones stated that at the January 11th annual council planning session, revisions were made to each plan. Jones asked if there was anything else the council would like to add to the plans before council approval.

Mayor Koets stated he would like to add "form a task force to study new/remodeling of Aquatic Center" to the five-year plan.

Motion was made by Delaney and seconded by Stout to approve the One, Five & Ten Year Plans with the addition of "form a task force to study new/remodeling of Aquatic Center" to the five-year plans. Upon roll call vote; Ayes: Koets, Stout, Delaney, Schroyer; Nays: none, motion carried 4-0.

Consider Approval of Pickup for Water Department

City Administrator/City Attorney Jones stated Water/Wastewater Superintendent Joel Adelman is requesting to purchase a new pickup for the Water Department. He had set aside funds to purchase the pickup in 2022 but continues to have problems with the 2008 pickup which has 90,000 miles

on it. The pickup would cost \$33,340. Adelman has \$27,500 set aside and would use \$7,840 from another line item to pay for the pickup.

Councilmember Smidt arrived at 7:01 p.m.

Discussion then followed regarding the bidding process for a new pickup and what was going to be done with the 2008 pickup.

Motion was made by Stout and seconded by Schroyer to approve the purchase of a new pickup for the Water Department in the amount of \$33,340.00. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

Consider Reimbursement of 2020 City Liquor License Fees

City Administrator/City Attorney Jones stated the city has been approached with a request to refund the 2020 liquor license fees paid by liquor license holders. This request is based on the closures of bars beginning March 17th that were mandated by Executive Orders issued by Governor Walz. The license fee is \$2,515.00. City Code does provide for a pro rata refund of an annual license if “the business ceases to be lawful for a reason other than a license revocation or suspension.” Jones shared a letter of support was received from the Chamber.

Motion was made by Smidt and seconded by Schroyer to approve the reimbursement of the 2020 city liquor license fees.

Councilmember Delaney stated he would like to see the refund money come from the Liquor Store Fund instead of the General Fund.

Motion was made by Delaney and seconded by Smidt amend the original motion to include using the Liquor Store Fund to pay for the reimbursement of the 2020 liquor license fees instead of the General Fund. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

Motion was made by Smidt and seconded by Schroyer to approve the original motion to reimburse the 2020 city liquor license fees. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

Resolution 2021-7

City Administrator/City Attorney Jones stated this resolution was placed at the end of New Business to wait for Councilmember Smidt to arrive at the meeting since a four-fifths majority vote is required to pass the resolution.

Jones shared State Statute 412.191, Subd. 4 requires publication of all ordinances but allows only the title and summary to be published in cases where the Council deems it appropriate because of the length of the ordinance. Ordinance 123, Fourth Series is a lengthy ordinance. This resolution would authorize publication of a summary for Ordinance 123, Fourth Series.

Motion was made by Stout and seconded by Smidt to approve Resolution 2021-7: A RESOLUTION AUTHORIZING THE PUBLICATION OF A SUMMARY FOR ORDINANCE 123, FOURTH SERIES: AN ORDINANCE ESTABLISHING FEES, CHARGES AND COMPENSATION AS ALLOWED BY CITY CODE. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

Consider Approving the Appointment of Emaleigh Vreeman to the Housing & Redevelopment Board

Tammy Manderscheid, Executive Director with the HRA, has submitted a letter of recommendation to approve the appointment of Emaleigh Vreeman to the Housing & Redevelopment Board effective December 2020.

Motion was made by Smidt and seconded by Stout to approve the appointment of Emaleigh Vreeman to the Housing & Redevelopment Board. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

CLOSING COMMENTS

Chamber of Commerce Executive Director Erica Volkir thanked the council for reimbursing the local liquor license holders in Pipestone their 2020 liquor license fees.

City Administrator/City Attorney Jones stated the Coalition of Greater Minnesota Cities will be hosting their annual legislative day via Zoom on January 27th. If any councilmembers would like to join, please contact Jones and he will get you the link.

EXECUTIVE SESSION

Mayor Koets stated the council will be entering into executive session to discuss the possible sale price for Lots 7-13, Block 13, Original Plat to the City of Pipestone; Discuss the possible sale of the W 77 ft of Lots 9-12, Block 5, Nichols Addition to the City of Pipestone; and Discuss the possible purchase of Lot 6, Block 3, Nichols Addition to the City of Pipestone.

Motion was made by Smidt and seconded by Delaney to adjourn regular session at 7:18 p.m. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

Motion was made by Smidt and seconded by Schroyer to open executive session. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

City Administrator/City Attorney Jones was also present for executive session.

Mayor Koets stated the council will be discussing the possible sale price for Lots 7-13, Block 13, Original Plat to the City of Pipestone; Discuss the possible sale of the W 77 ft of Lots 9-12, Block 5, Nichols Addition to the City of Pipestone; and Discuss the possible purchase of Lot 6, Block 3, Nichols Addition to the City of Pipestone.

Motion was made by Smidt and seconded by Stout to close executive session. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

Motion was made by Smidt and seconded by Schroyer to reopen regular session. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

Mayor Koets stated the council discussed the following properties during executive session: Lots 7-13, Block 13, Original Plat to the City of Pipestone; the W 77 ft of Lots 9-12, Block 5, Nichols Addition to the City of Pipestone; and Lot 6, Block 3, Nichols Addition to the City of Pipestone and that staff is directed to prepare Purchase Agreements as discussed regarding Lot 6, Block 3, Nichols Addition and Lots 7-13, Block 13, Original Plat and to obtain further information regarding the W 77 ft of Lots 9-12, Nichols Addition.

ADJOURNMENT

Motion was made by Stout and seconded by Smidt to adjourn the meeting. Upon roll call vote; Ayes: Koets, Stout, Smidt, Delaney, Schroyer; Nays: none, motion carried 5-0.

Myron D. Koets
Mayor

ATTEST:

Deb Nelson
City Clerk