



## City Council Regular Meeting Agenda

January 05, 2026 at 6:30 PM

Pipestone City Hall- 119 2nd Ave SW #9, Pipestone, MN 56164

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1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Approve Agenda – Additions, Changes, Or Deletions**
4. **Consent Agenda**

\*\*All items listed with asterisks (\*\*) are considered routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Council member, City staff or citizen so requests in which case, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

5. **\*\*Approval of Minutes**
  - [A.](#) December 15, 2025 Regular Meeting Minutes
  - [B.](#) December 16, 2025 Special Meeting Minutes
6. **Community Concerns (Maximum 3 Minutes Per Person)**
7. **Reports**
  - A. Law Enforcement
  - B. Waste/Wastewater
  - C. Liquor Store
  - D. Library
  - E. Recreation
  - F. Public Works
8. **Public Hearings, Petitions, and Bid Openings**
9. **Legal**
  - [A.](#) Ordinance No. 170, Fourth Series; An Ordinance of the City of Pipestone Amending Chapter 90 of the Pipestone City Code Regarding Dynamic Braking in the City

10. **Engineering**

**11. \*\*Financial**

- A. Payment of Claims-Listing of Bills

**12. Old Business**

**13. New Business**

- A. Election of Acting Mayor
- B. Appointment of City Clerk
- C. Authorize Advertisement for Administrative Assistant
- D. 2026 Mayoral Board and Commission Appointments
- E. Conflict of Interest Policy
- F. Resolution 2026-1: A Resolution Adopting Rules of Order and procedures for the City Council in Accordance with City Code Chapter 30, Section 30.003
- G. \*\*Resolution 2026-2: A Resolution Designating the Pipestone County Star as the Official Newspaper for the City of Pipestone
- H. \*\*Resolution 2026-3: A Resolution Designating First Farmers and Merchants Bank, First Bank and Trust, and First State Bank Southwest as the Official Depositories of City Funds
- I. \*\*Resolution 2026-4: A Resolution Approving the Mayor and City Council Members of the City of Pipestone be Covered by the Minnesota Worker's Compensation Law
- J. Resolution 2026-5: A Resolution Accepting Donations
- K. Performance Evaluation Summary of Joel Adelman and Title Change
- L. Liability Coverage Waiver

**14. Closing Comments**

**15. Executive/Closed Session**

**16. Adjournment**

Pipestone, Minnesota  
December 15, 2025

Pursuant to due call and notice thereof, a regular meeting of the Pipestone City Council was duly held in-person and via Zoom in the Council Chambers at City Hall at 6:30 p.m. on the 15th day of December, 2025. Mayor Dan Delaney called the meeting to order. Roll call was taken and a quorum was declared. Members present: Dan Delaney, Rodger Smidt, Scott Swanson, Danielle Thompson, and Verdeen Colbeck. Absent: None. Others present: City Administrator LaBrune, Cable Access Coordinator Steve Moffitt, Pipestone Community Development Director Justin Schroyer, Administrative Assistant Megan DeWitte, and community member Donna Morris. City Engineer Travis Winter, City Attorney Jason Hill appeared via Zoom.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVE AGENDA- ADDITIONS, CHANGES OR DELETIONS**

Motion was made by Thompson, seconded by Colbeck and unanimously carried to approve the agenda.

**CONSENT AGENDA**

Mayor Delaney state the consent agenda contains the December 1, 2025 Regular Meeting Minutes, Payment of Claims-Listing of Bills in the amount of \$384,184.37 for warrants #076413-#076521, and the November 2025 Financial Report. Delaney asked if there was any further discussion needed regarding these items. No further discussion was held.

Motion was made by Swanson, seconded by Thompson, and unanimously carried to approve the consent agenda contents of the December 1, 2025 Regular Meeting Minutes, Payment of Claims-Listing of Bills, and the November 2025 Financial Report.

**COMMUNITY CONCERNS**

Resident Donna Morris of 420 9<sup>th</sup> Ave NW, Pipestone, spoke on behalf of her concern as a landlord in the community about the delinquent utility bill that her tenants had acquired at one of her properties. She claims she had called into City Hall asking for their water service to be turned off due to the bill being unpaid, and was told that could not happen due to the tenants having signed a financial agreement at city hall and making attempts to pay their delinquent bill at that time.

LaBrune shared what the city policy states and how staff notifies tenants and property owners of the delinquent bills and told Morris that she would be happy to discuss it further tomorrow. Mayor Delaney informed Morris that no action can be made on the day a concern is brought forward but said he would discuss it with the council further and act on it at a later date.

**PUBLIC HEARING**

Public Hearing Relating to the Pipestone Economic Development Authority's proposed amendment to the Spending Plan for Tax Increment Financing District #12 and 13, pursuant to Minnesota Statutes, Section 469.176, Subd. 4n.

Mayor Delaney shared, this Spending Plan is being amended to authorize the Pipestone EDA to use available tax increments from the TIF Districts and interest earned on transferred increment to provide assistance in business expansion within the City’s downtown area.

Preference for the assistance is to finance a portion of the costs of demolition and site preparation of two substandard parcels in the City’s Downtown area. It allows the proposed developer to acquire the parcels, construct as expansion of its current business operations, and add additional employees, he explained. The proposed developer has submitted a Letter of Intent to the EDA which represents construction of the Development shall commence before December 31, 2025. It would not commence by such date without the assistance provided pursuant to the Spending Plan.

To amend the budget set forth in the Tax Increment Financing Plans for the Tax Increment Financing District is necessary to provide the assistance authorized by this Spending Plan. To take any other action necessary and authorized under the Act in connection with the construction or substantial rehabilitation of facilities of the type described in the clause above.

The assistance provide pursuant to this Plan shall be subject to Minnesota Statues, Sections 116J.993 to 116J.995 (the “Business Subsidy Law”), if applicable, and shall be subject to the City’s Business Subsidy Policy.

Motion was made by Smidt, seconded by Thompson, and unanimously carried to open the public hearing at 6:40pm.

Mayor Delaney asked if anyone would like to speak or has anything to share about amending the Spending Plan. There was no further discussion.

Motion was made by Smidt to close the public hearing, seconded by Swanson and unanimously carried. Public Hearing was closed at 6:41pm.

**LEGAL**

Ordinance 169, Fourth Series: An ordinance Establishing Fees, Charges, and Compensation as Allowed by City Code. Delaney said, this Ordinance was introduced at the December 1<sup>st</sup> Council Meeting and is now ready for council consideration and adoption. These rate changes are being recommended by city staff SAFEbuilt, and Ehlers who conducted a utility rate study in 2024. Additionally, the State Water Surcharge fee is a fee set by the MN State Department of Health.

	<u>OLD FEE</u>	<u>NEW FEE</u>
Copies	.25/copy	.10/copy
State Water Surcharge Fee	.81/mo.	1.27/mo.
Water Base Fee	36.30/mo.	39.93/mo.
Water Usage Fees	1.03/100gal.	1.13/100gal
Sewer Base Fee	22.20/mo.	28.08/mo.
Sewer Usage Fees	1.23/100gal. water	1.36/100gal. water
Storm Water REF (Residential Equivalency Factor)	10.60	11.24
Commercial Garbage	*Overall 2.00 per yard increase	
Building Permit Fees	*Updated with SAFEbuilt recommendation	

Motion was made by Smidt, seconded by Thompson to approve and adopt the new fee schedule to Ordinance 169, fourth series.

Mayor Delaney said he would like some discussion on this and had some concerns to share. He stated that he thinks that the economic status is getting strenuous on some residents and that it makes little sense to hold the levy down but increase service rates for next year. He would like to see a fee schedule adopted that does not increase fees on the water and sewer services until the economy stabilizes a little more.

Smidt asked if these rates were increasing because our City Departments are supposed to be standing on their own financially?

Delaney said yes but they are not operating in the black yet anyway. Delaney said he would like to delay these increases at least 6 months or just keep as is for 2026.

LaBrune shared that Ehlers recommended approximately 20% for the first 3 years starting in 2024 and then 3% each year to get the enterprise funds into the black. She also said and these increases have not been implemented in the past to keep up with the spending costs.

Delaney stated, to do these increases 3 years in a row is too aggressive, we need to try to give some relief where we can.

Smidt and Thompson both agreed to rescind their motion.

Delaney made a motion to only change the necessary increases in Ordinance 169, Fourth series, excluding any increases to water, storm sewer, sanitary sewer, and garbage rates. The motion was seconded by Colbeck. Roll call vote Ayes: Delaney, Colbeck, Thompson, Smidt, and Swanson. Nays: none.

Introduction of Ordinance No. 170, Fourth Series: An Ordinance of the City of Pipestone Amending Chapter 90 of the Pipestone City Code Regarding Dynamic Braking in the City-

Mayor Delaney shared, this Ordinance was developed by Attorney Hil following concerns brought forth from residents. If adopted, it would add additional language to the city code to help with enforcement efforts for people who use jake brakes and do not have adequate exhaust on their vehicles. This ordinance is being introduced and will be considered at the next Council meeting on January 5<sup>th</sup>.

**NEW BUSINESS**

Resolution 2025-76 Delaney said a public hearing was held on December 1<sup>st</sup> for a tax abatement request by Alison Douty on a new home construction in Southwest Acres. To authorize the abatement, Resolution 2025-76: A Resolution Relating to a Tax Abatement on Property Being Developed by Alison Douty; Granting the Abatement will need to be approved by the Council.

Motion made by Colbeck, seconded by Swanson, and unanimously carried to approve Resolution 2025-76 granting the Abatement request for Alison Douty on her new home construction in Southwest Acres.

Resolution 2025-77 Delaney shared City staff is requesting approval of Resolution 2025-77: A Resolution Declaring Equipment or Property as Surplus and Authorizing the Sale of the Same for a 1996 Dodge Pickup that is no longer needed.

Motion made by Swanson, seconded by Smidt, and unanimously carried to approve Resolution 2025-77 authorizing the sale of a surplus 2008 Dodge pickup sold.

Resolution 2025-78 Delaney said earlier in the meeting, a public hearing was held concerning the proposed amendment to the Spending Plan for Tax Increment Financing Districts No. 12 and No. 13 in the City. To approve the amendment, a motion is needed.

Motion made by Thompson, seconded by Colbeck, and unanimously carried to approve Resolution 2025-78 which approves the amendment to the Spending Plan for Tax Increment Financing Districts No. 12 and No. 13 in the City.

Resolution 2025-79 Delaney stated, this is a Resolution accepting the following Donation(s)

- **Dan & Linda Delaney** \$100.00 Lights at the Lodge
- **Dynamic Health Chiropractic, Ltd.** \$100.00 Lights at the Lodge

Motion was made by Thompson, seconded by Smidt and unanimously carried to accept and approve Resolution 2025-79 accepting the two donations made for Lights at the Lodge.

Resolution 2025-80 Delaney shared, this is a Resolution Approving a State Airport Fund Grant Agreement with the Minnesota Department of Transportation, stating it would authorize staff to enter into an agreement with the state for a total grant not to exceed \$51,300 which will cover 60% of the design and bid administration costs for the Jet A Fuel System Replacement project.

Motion made by Swanson, seconded by Smidt, and unanimously carried to approve Resolution 2025-80 that allows City staff to enter into the agreement for the grant towards the Jet A Fuel System Replacement Project.

Resolution 2025-81 Delaney stated, this Resolution is to Approve Fund Transfers. It is a process that is done annually to make the 2025 budgeted transfers to the correct funds.

Motion made by Thompson, seconded by Smidt, and unanimously carried to approve Resolution 2025-81 and make the budgeted fund transfers needed.

Resolution 2025-82 Delaney shared, this is a Resolution Approving an Amendment to the Legal Services- Criminal Prosecution Agreement with O’Neill, O’Neill & Barduson. The City has been utilizing this legal firm since 2023 and they have requested an increase in compensation from \$3,000 per month to \$3,300 per month, he shared, their requested increase has been reflected in the 2026 budget.

Motion made by Thompson, seconded by Colbeck, and unanimously carried to approve Resolution 2025-82 that will increase monthly compensation for O’Neill, O’Neill & Barduson from \$3,000 per month to \$3,300 per month.

Resolution 2025-83 Delaney stated, this is a Resolution Establishing the Days, Times, and Places of Regular Meetings of the Pipestone City Council, Commissions, and Committees During Calendar Year 2026.

Motion made by Thompson, seconded by Colbeck, and unanimously carried to adopt Resolution 2025-83 that sets the meeting schedules for the upcoming year with considerations of the meetings that are scheduled on recognized holidays.

Resolution 2025-84 Delaney shared, that due to the size of Ordinance 169, Fourth series, staff has recommended the council approve this Resolution Authorizing the Publication of a Summary for Ordinance No. 169, Fourth Series: An Ordinance Establishing Fees, Charges, and Compensation as Allowed by City Code LaBrune said, this motion will need to be approved with the changes made earlier in this meeting.

Motion made by Smidt, seconded by Swanson and unanimously carried to approve Resolution 2025-84 stating that a summary of Ordinance No. 169, Fourth Series can be published with the amended items of rates that will remain the same, as previously voted on and approved in this meeting.

Consider Approval of Cost-of-Living-Adjustment for Employees Delaney stated that a 2.8% Cost of Living Adjustment has been incorporated into the city's 2026 budget based on the increase established by social security. To authorize the 2.8% Cost of Living Adjustment we need council approval.

Motion made by Swanson, seconded by Thompson, and unanimously carried to approve the proposed 2.8% Cost of Living Adjustment for City Employee wages for 2026.

Consider Televising Camera Purchase- Delaney explained the need for a televising camera purchase that Wastewater Superintendent Joel Adelman is requesting. The purchase request is for a new 2026 Aries CCTV Voyager Command Center televising camera per state contract 187482 at the price of \$126,388, which includes the trade in price of \$5,000 for the city's current camera. Administration is proposing to purchase the equipment by transferring \$100,000 from the city's storm sewer replacement capital fund and also transferring \$26,388 from the city's sanitary sewer Jetter/Vac capital fund. The Utility Committee has discussed this matter and is recommending the purchase.

Motion made by Swanson, seconded by Smidt, and unanimously carried to approve the purchase of the 2026 Aries CCTV Voyager Command Center televising camera for the wastewater department.

Consider Amendment(s) to Geyerman's Utility Billing Account(s) Delaney shared that there is unique situation that has come forth with the utility services provided to Geyerman's Clothing Store. The property owners originally purchased three separate properties with three separate utility connections and since have expanded and physically combined all three buildings into one. The owners have made attempts to combine the parcels but have been unsuccessful meeting the requirements set by the County Auditor's office. Only one water and sewer connection is

being utilized by Geyerman's and the utility committee is recommending that the council authorize the City Treasurer to remove the water and sewer charges for 209 Main St. W. and 207 Main St. W. and only charge one water and sewer charge for 201 Main St. W. and one storm sewer charge for the three parcels that will be billed on the 201 Main St. W. utility bill.

Motion made by Swanson, seconded by Smidt, and unanimously carried to authorize the City Treasurer to remove the water and sewer charges for 209 Main St. W. and 207 Main St. W. and only charge one water and sewer charge for 201 Main St. W. and one storm sewer charge for the three parcels that will be billed on the 201 Main St. W. utility bill.

**CLOSING COMMENTS**

Mayor Delaney announced that commission chair member appointment letters are being mailed out. Let him know if you want to stay on your commissions or try a new one for 2026.

He also said he hopes everyone has a great holiday season, this hasn't been an easy year but we're getting through it and he looks forward to the year ahead. Great work has been done by everyone.

Administrator LaBrune shared that there is still work being done on the water treatment plant, and said it may be one more week with harder than normal water until they can get the issues repaired.

**ADJOURNMENT**

Motion was made by Colbeck, seconded by Thompson, and unanimously carried to adjourn the meeting at 7:07pm.

Pipestone, Minnesota  
December 16, 2025

Pursuant to due call and notice thereof, a Special Meeting of the Pipestone City Council was duly held in the Municipal Building at 12:00 noon on the 16<sup>th</sup> day of December 2025. Mayor Dan Delaney called the special meeting to order. Roll call was taken and a quorum was declared. Members present: Dan Delaney, Rodger Smidt, Danielle Thompson, Scott Swanson and Verdeen Colbeck. Absent: None. Others present: Water/Wastewater Superintendent Joel Adelman, and City Administrator Stephanie LaBrune.

Mayor Delaney stated the purpose of the special meeting was to conduct the annual performance review for Joel Adelman. Delaney shared that it is the employee’s decision to have their evaluation in an open or closed session and Adelman elected to have his in a closed session.

Motion made by Colbeck, seconded by Smidt and carried unanimously to close the meeting and conduct a closed session pursuant to Minnesota State Statute 13D.05, subd.3(a) to evaluate the performance of Joel Adelman.

Following the performance evaluation, a motion was made by Colbeck, seconded by Thompson and unanimously carried to return to open meeting.

Delaney then stated that a summary of Adelman’s performance review for 2024 and 2025 would be read at the next regularly scheduled council meeting.

**ADJOURNMENT**

Motion was made by Smidt, seconded by Colbeck and unanimously carried to adjourn the meeting at 12:34 p.m.

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Dan Delaney  
Mayor

ATTEST:

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Stephanie LaBrune  
City Administrator / Clerk

CITY OF PIPESTONE

ORDINANCE NO. 170, FOURTH SERIES

AN ORDINANCE OF THE CITY OF PIPESTONE AMENDING CHAPTER 90 OF THE PIPESTONE CITY CODE REGARDING DYNAMIC BRAKING IN THE CITY

The City Council of the City of Pipestone ordains:

**Article I.** Table of Contents. The table of contents for Chapter 91 of the Pipestone City Code (“City Code”) is hereby amended by adding the following double-underlined language:

**CHAPTER 91: STREETS AND SIDEWALKS**

Section

- 91.01 Application
- 91.02 Scope and orders of police officers
- 91.03 Traffic and parking control
- 91.04 Ice and snow on public sidewalks
- 91.05 Regulation of grass, weeds, and trees in streets
- 91.06 Construction and reconstruction of roadway surfacing, curb, and gutter
- 91.07 Street openings or excavations
- 91.08 Requirement of sewer and water main service lateral installation
- 91.09 Load limits
- 91.10 Curb and gutter, street, and sidewalk painting or coloring
- 91.11 Sidewalk maintenance and repair
- 91.12 Dynamic Braking
- 91.99 Penalty

**Article II.** Dynamic Braking. Chapter 91 of the City Code is hereby amended by adding a new Section 91.12 with the following language:

**§ 91.12 DYNAMIC BRAKING.**

(A) *Definitions*. For the purpose of this Section, the following definition shall apply unless the context clearly indicates or requires a different meaning:

***DYNAMIC BRAKING DEVICE (JAKE BRAKE, ENGINE BRAKE OR COMPRESSION BRAKE)*** means a device primarily on trucks which alters the normal compression of the engine and subsequently releases that compression.

***ABNORMAL OR EXCESSIVE NOISE*** means (1) distinct and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value, (2) noise in excess of that

permitted by Minnesota Statutes Section 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order, or (3) noise in excess of that permitted by Minnesota Statutes Section 169.693 and Minnesota Rules, parts 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.

(B) It shall be unlawful for any person to discharge the exhaust or permit the discharge of the exhaust from any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations.

(C) It shall be unlawful for the operator of any truck to intentionally use a Dynamic Braking Device on any public highway, street, parking lot or alley within the City which causes abnormal or excessive noise, except in an emergency.

(D) Signs stating “VEHICLE NOISE LAWS ENFORCED” may be installed at locations deemed appropriate by the City Council to advise motorists of the prohibitions contained in the City Code, except that no sign stating “VEHICLE NOISE LAWS ENFORCED” shall be installed on a state highway or Pipestone County road without a permit from the Minnesota Department of Transportation or Pipestone County, respectively. The provisions of this Section are in full force and effect even if no signs are installed.

(E) Any person, firm or corporation who violates any provision of this Section shall, upon conviction, be guilty of a petty misdemeanor and punished by a fine of not more than \$300.

**Article III. Severability.** Should any section or part of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision will not affect the validity of the ordinance as a whole or any part other than the part declared invalid.

**Article IV. Effective Date.** This ordinance shall become effective the day after its legal publication.

Adopted this \_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Dan Delaney, Mayor

ATTEST: \_\_\_\_\_  
Stephanie LaBrune, City Administrator / Clerk

Date of Publication \_\_\_\_\_

Effective Date \_\_\_\_\_

**CITY OF PIPESTONE**

**POLICY ON CONFLICTS OF INTEREST,  
INCOMPATIBLE OFFICES, AND GIFTS**

**1. POLICY STATEMENT**

The City Council of the City of Pipestone expects all elected and appointed officials of the City to maintain the highest standards of ethical conduct in order to ensure the public’s confidence and respect. City officials hold positions of public trust under the scrutiny of public opinion and their actions must be above suspicion. The public deserves elected and appointed officials who maintain the highest ethical principles and avoid misconduct and conflicts of interest, apparent or real. The public has the right to expect that its public officials will conduct themselves in a manner that will preserve public confidence in and respect for the people they serve.

The purpose of this Policy is to establish a code of ethics related to conflicts of interest, gifts, and incompatible offices covering public elected and appointed officials associated with the City of Pipestone. This Policy is intended to supplement but not replace any applicable laws governing conflicts of interest, gifts, or incompatible offices.

**2. DEFINITIONS**

A. “Conflict of Interest” is present when, in the discharge of official duties, a public official participates in a sale, lease, or contract they are authorized to make in their official capacity in which they have a personal financial interest, with certain exceptions that are set forth by law.

B. “Gifts” are defined as the transfer of money, property, favor, services, loans, travel, entertainment, hospitality, or things having any value or promise of future economic benefit. Loans which are not intended to influence official action and are made in the ordinary course of business at usual and customary terms that include the charging of interest, a repayment schedule, and security, shall not be considered gifts for the purpose of this Policy. Similarly, transactions made in the ordinary course of business in exchange for reasonable and fair payment shall not be considered gifts for the purpose of this Policy.

C. “Immediate Family Member” includes the public official’s spouse or domestic partner, parents, children, siblings, father and mother in-law, son and daughter in-law, sister and brother in-law, step-children, step siblings, and half-brother and half-sister.

D. “Personal Financial Interest” is present if a public official has a financial interest, directly or indirectly, through business, investment, or family:

- i. An ownership or investment interest in any entity with which the City has a transaction or arrangement,
- ii. A compensation arrangement with the City or with any entity or individual

with which the City has a transaction or arrangement, or

- iii. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the City is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

E. "Public Official" includes all members of the City Council and all appointed members of the City's boards, commissions, and committees.

**3. EXPECTED CONDUCT**

Public officials must put the public interest ahead of their own personal advancement and financial interests, disclose conflicts of interest, and refrain from participating in decisions where a financial interest exists. Public officials must generally avoid actions that might impair independence of judgment or give the appearance of impropriety or a conflict of interest, even if a true conflict of interest under the law does not exist. Public officials must not use their position to gain privileges or special treatment. Public officials must avoid any situation that might give rise to or even suggest the potential for a conflict of interest.

**4. CONFLICT OF INTEREST IN CONTRACTS**

Generally, public "officers" may not have a personal financial interest in a sale, lease, or contract they are authorized to make in their official capacity, unless otherwise excepted by law. Minnesota Statutes, section 471.87. All kinds of contracts for goods and services are included (including formal and informal, written and unwritten) and the prohibition applies not only when the City is the buyer but also when the City is the seller.

Exceptions to this prohibition are primarily set forth in Minnesota Statutes, section 471.88 and include, but are not limited to:

A. Designations of banks or savings association that a City officer has an interest in as an authorized depository for public funds and as a source of borrowing (Minnesota Statutes, section 471.88, subd. 2);

B. Designation of an official newspaper (or publish official notices in) a newspaper in which a City officer has an interest (applies only if the interested officer's newspaper is the only qualified newspaper available) (Minnesota Statutes, sections 471.88, subd. 3 and 331A.04);

C. A contract with a cooperative association of which the City officer is a shareholder or stockholder (applies only if the City officer is not an officer or manager of the association) (Minnesota Statutes, section 471.88, subd. 4);

D. Contracts where competitive bidding is not required (such as contracts for

professional services) (Minnesota Statutes, sections 471.88, subd. 5 and 471.89);

E. Renting of space in a public facility to a public officer at a rate equal to that paid by a other members of the public (Minnesota Statutes, section 471.88, subd. 13);

F. Franchise agreements or contracts for utility services to the City where a council member is an employee of the utility (Minnesota Statutes, section 471.88, subd. 15);

G. Accepting state or federal grants which may benefit a public officer (Minnesota Statutes, section 471.88, subd. 17); and

H. Certain exceptions that are applicable to EDA of HRA members.

Most of the exceptions require that a certain procedure be followed and have additional requirements or conditions. Therefore, it is imperative that the public official inform the City Administrator of the potential conflict of interest even if they firmly believe that an exception applies.

## 5. CONFLICTS OF INTEREST IN OTHER MATTERS

Any public official who has a disqualifying personal interest in an official non-contractual matter is disqualified from participating in the action. Examples of official non-contractual matters where a public official would have a disqualifying interest include a determination of a council member's residency, appointments to non-elective positions, and land use applications affecting the public official's property. The following factors will be examined in order to determine whether or not the official has a disqualifying interest:

- A. The nature of the decision;
- B. The nature of the financial decision;
- C. The number of interested officials;
- D. The need for interested officials to make the decision; and
- E. Other means available – opportunity for review.

Public officials are generally prohibited from purchasing City-owned property from the City. Minnesota Statutes, section 15.054. This does not apply to the sale of items acquired or produced for sale to the general public in the ordinary course of business.

## 6. DUTY OF DISCLOSURE OF CONFLICTS OR POTENTIAL CONFLICTS

In connection with any actual or possible conflict of interest, a public official must disclose the existence of the conflict and be given the opportunity to disclose all material facts to the City Council or City board, commission or committee considering the proposed transaction or

arrangement.

**7. DETERMINING WHETHER A CONFLICT OF INTEREST EXISTS**

After disclosure of the conflict of interest and all material facts, and after any discussion with the public official, they shall leave the City Council, City board, commission or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining City Council, board, commission or committee members shall decide if a conflict of interest exists.

**8. PROCEDURES FOR ADDRESSING THE CONFLICT OF INTEREST**

A. A public official may make a presentation at the City Council, City board, commission or committee meeting, but after the presentation, they shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

B. The Mayor or the chairperson of the City board, commission or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

C. After exercising due diligence, the City Council, City board, commission or committee shall determine whether the City can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

D. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the City Council, City board, commission or committee shall determine by a majority vote of the disinterested members whether the transaction or arrangement is in the City's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

**9. EMPLOYMENT/APPOINTMENT OF FAMILY MEMBERS/INCOMPTABILE OFFICES**

No public official shall vote on the approval of the hiring of their immediate family member for any type of City employment including, but not limited to, full-time employment, part-time employment, contractual employment, or appointment to any board or commission. The Mayor may recommend the appointment of their immediate family member and may participate in the discussion, but they must excuse themselves from voting on the matter. Furthermore, public officials must abstain from participating in discussions, deliberations, and voting on a City contract in which the public official's immediate family member has a personal or financial interest.

Pursuant to the City Charter, no member of the City Council shall hold any other paid appointive City office or paid employment with the City. No former member of the City Council may hold

any paid appointive City office or paid employment for which the office or employment was created or the compensation of which were increased during the member's term as a council member.

**10. GIFTS**

No public official shall accept or solicit a gift from an interested person. An "interested person" is a person or representative of a person or association that has a direct financial interest in a decision that a public official is authorized to make. This includes anyone who may provide goods or services to the City such as engineers, attorneys, financial advisors, contractors, and salespersons. It also includes residents and persons doing business in the City if they have a direct financial interest in a decision that the public official is authorized to make (such as a special assessment or a land use decision).

However, the following types of gifts are permitted:

- A. Lawful campaign contributions;
- B. Services to assist an official in the performance of their official duties (such as providing advice, consultation, information, and communication in connection with legislation and services to constituents);
- C. Services of insignificant monetary value;
- D. A plaque or similar memento (when given in recognition of individual services in a field of specialty or to a charitable cause) with a resale value of \$5.00 or less;
- E. A trinket or memento costing \$5.00 or less;
- F. Informational material with a resale value of \$5.00 or less;
- G. Food or beverage given at a reception, meal or meeting. This exception applies if the recipient is making a speech or answering questions as part of a program that is located away from the recipient's place of work. This exception also applies if the recipient is a member or employee of the legislature and an invitation to attend was given to all members of the legislature at least five days before the date of the event;
- H. Gifts received because of membership in a group. This exception does not apply if the majority of group members are officials. In addition, an equivalent gift must also be offered to the other members of the group; and
- I. Gifts between family members (the gift may not be given on behalf of someone who is not a member of the family).

**11. VIOLATIONS OF THE POLICY**

A. If the City Council, City board, commission or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

B. If after hearing the member’s response and after making further investigation as warranted by the circumstances, the City Council, City board, commission or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**12. RECORDS OF PROCEEDINGS**

The minutes of the City Council, City board, commission or committee with board delegated powers shall contain:

A. The names of the persons who disclosed or otherwise were found to have a conflict of interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the City Council, City board, commission or committee’s decision as to whether a conflict of interest in fact existed.

B. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Adopted: January 9, 1995

Prepared by Terry J. Berg  
December 29, 1994

Amended by Troy L. Strom  
January 22, 2002

Amended by City Attorney Jason Hill  
January 2, 2024

CITY OF PIPESTONE  
PIPESTONE COUNTY, MINNESOTA

**RESOLUTION 2026-1**

**A RESOLUTION ADOPTING RULES OF ORDER AND PROCEDURES FOR THE CITY COUNCIL IN ACCORDANCE WITH CITY CODE CHAPTER 30, SECTION 30.003**

BE IT RESOLVED by the City Council of the City of Pipestone, Minnesota as follows:

In accordance with the Charter of the City of Pipestone, Chapter 50 Section 50.04 and City Code Chapter 30, Section 30.003, the following are hereby adopted as the rules of order and procedures for the City Council session year 2026:

1. The rules of parliamentary practice comprised in Robert Rules of Order, newest revision, shall govern the Council in all cases in which they are applicable, and in which they are not inconsistent with these rules, the Charter and Ordinances of the City or laws of the State of Minnesota.
2. The Council shall meet in regular session on the first and third Monday of each month at 6:30 p.m. The Council shall meet in special session upon the call of the Mayor or two members of the Council. All meetings shall be held in City Hall unless otherwise directed and properly noticed.
  - A. The Council shall not meet in any meeting after the hour of 10:00 P.M., unless the Council shall order otherwise.
  - B. Upon being notified by the Mayor or two members of the Council of a special meeting the City Administrator shall notify the other members of the Council. Notification shall be provided at least three days in advance of a special meeting by posting written notice in a conspicuous location at City Hall of said special meeting including the date, time, place and purpose of said meeting. In the event that three days advance notice is not available, practical, or possible and in the judgment of the public body the matter to be discussed requires immediate consideration, an emergency meeting shall be declared by the Mayor or two members of the Council. The City Administrator shall notify all members of the Council and shall make every effort possible to notify any person, organization or news medium which has filed a request for notices of meetings.
3. All reports, visitations, communications, ordinances, resolutions or other matters to come before the Council shall be reported to the City Administrator at least by noon of the Wednesday prior to each regular meeting, and the City Administrator shall see such items are listed on the agenda according to the order of business and the City Administrator shall furnish each member of the Council, appropriate staff, and post for public inspection, a copy of the agenda and related documents at least 24 hours prior to the meeting. All items required to be posted for public notice shall be done so on a notice board located in City Hall and other such places, if any, deemed appropriate. Nothing contained herein shall prohibit the Council from considering items not so listed upon the agenda. Additional items not so listed may be brought up by staff if permitted by the Council.

- A. The City Administrator or his/her designee shall process all claims for payment that have been received by 9:00 a.m. of the Thursday prior to regular Council meetings. The designated staff shall list all claims to be presented to the Council for their approval. Upon the Council's approval of these claims, the staff shall then draw warrants for their payment and cause to be affixed original or facsimile signatures, and cause all signed warrants to be delivered.
- B. In the case of routine claims that allow for early payment discounts and payroll related claims, the City Administrator and Mayor are authorized to pay such claims as they become due and without specific approval of the Council provided, they are contained in the next regular listing of all claims.
- C. The City Administrator shall be authorized to make payments for goods and services delivered or performed as per contract conditions prior to Council meetings at his discretion and upon approval, as appropriate, by the various affected Department Heads. All such payments shall be listed at the next regular Council meeting with the listing of bills.
- D. The City Administrator and/or City Treasurer shall be authorized and directed to make timely investments of all "idle funds". Such investments shall be made in the designated depositories or legally qualified investment agencies and shall be made in such amounts, duration of time and interest rate as appropriate.
- E. The order of business before all Council meetings shall be as follows, unless the Council directs otherwise:
  - 1. Call to order
  - 2. Pledge of Allegiance
  - 3. Approval of Agenda
  - 4. Approval of Consent Agenda
  - 5. Approval of Minutes
  - 6. Community Concerns
  - 7. Public Hearings, Petitions and/or Bid Openings
  - 8. Legal
  - 9. Engineering
  - 10. Financial
  - 11. Old Business
  - 12. New Business
  - 13. Closing Comments
  - 14. Executive/Closed Session
  - 15. Adjournment

For the months of January, April, July, and October, Department Head and Law Enforcement Reports, will be added to the agenda after Community Concerns.

For the months of January, April, July, and October, Airport, Chamber of Commerce, Senior Citizens Center, Economic Development Authority, Housing and Redevelopment Authority, and Museum Reports will be added to the agenda after Community Concerns.

- 4. The Mayor, or in his/her absence, the Acting Mayor, or in both their absences, the Councilmember present with the most tenure in office, shall take the chair at the hour appointed for the Council to meet, and shall immediately call the members to order. The

names of those present, absent, and excused shall be recorded.

5. The presiding officer may move and debate from the chair and shall not be deprived of any rights or privileges of a member by reason of acting as presiding officer.
6. The presiding officer shall preserve order and decorum and decide all questions of order, subject to appeal to the Council. No person shall be allowed to delay or interrupt the proceedings, nor refuse to obey the orders and rules of the Council. Every person desiring to speak shall first be recognized by the presiding officer and shall avoid personalities and indecorous language. Any person shall be removed from the meeting for failure to comply with a ruling of the chair or for violation of these rules.
  - A. Members and those speaking to the Council shall keep their comments as brief and to the point as possible. No member may speak twice on an item of business until all members have first had the opportunity to speak once.
7. A quorum shall consist of three members, although the majority of any members present may send for and require the attendance of those absent unless excused, or adjourn or recess to any time previous to the next regular session. No member or officer shall absent himself from any session unless excused by the Council.
8. Unless otherwise required by Charter, law or these rules, the affirmative vote of three members of the Council shall be required for the election of any officers of the Council, adoption of ordinances, or any action requiring the levying or expenditures of monies.
9. The City Administrator and City Attorney shall be ex-officio members without vote of the Council. Their numbers shall not be counted for purposes of quorum or other matters.
10. Every member present when a question is put forward shall vote either "aye" or "nay", unless prior to voting the Council, for special reasons, shall excuse him from voting. Any member not so excused and failing to vote after reasonable time is allowed, shall be recorded as having voted in the negative.
11. Councilmembers shall occupy their respective seats in the Chambers while the Council is in session. The Councilmembers shall select their own seats on the basis of tenure in office.
12. The vote on all ordinances shall be by roll call vote. The vote on all other matters shall be by acclamation. Upon the demand of any member, before the negative has been put, a roll call vote shall be taken on any matter before the Council. If after a vote by acclamation it appears that the vote was not unanimous a division of the house shall immediately be taken and the individual votes of each member recorded.
13. After the decision on any questions, any member who voted with the majority may move to reconsider any action at the same or the next succeeding meeting, provided, however, that a resolution authorizing or relating to any contract may only be reconsidered before the final execution thereof. When notice of intention to move such reconsideration shall be given by a member, no action shall be taken to bind or commit the City until the next meeting, provided that four members may vote to declare an urgency, in which case the matter shall not be delayed unless then and there reconsidered.
14. When the Previous Question is moved, it shall be put as follows: "Shall the main question

be now put?". If a majority shall vote in the affirmative, all debate shall ~~cease and~~ amendments, if any, shall be first voted upon and then the main question. All incidental motions shall be decided without debate.

15. If any question contains two or more divisible propositions, the presiding officer may, and upon the request of a member shall, divide the same.
16. All appointments to commissions or boards from without the membership of the Council shall be made by the Mayor with the advice and consent of the Council. All such committees, commissions and boards shall abide by these rules, insofar as they are applicable.
  - A. Each commission or board shall at its annual meeting, elect from its membership, a chairman and a secretary, and if necessary, establish its regular meeting dates for the year. The chairman, or in his absence, the secretary, shall preside over all meetings. The secretary shall keep an accurate record of those members attending and the business conducted. A quorum shall consist of a majority of all members appointed and qualified. Special meetings may be called by the Chairman or any two members. All meeting notices and minutes of meetings must be given to the City Administrator who shall give public notice by posting and file the same in the permanent records of the City. Commissions of the City shall be required to meet notification procedures for meetings in compliance with Chapter 313 of the Minnesota Statutes and in accord with Section 2B of these rules.
17. All proposed ordinances or resolutions shall be introduced in written form. It shall be the responsibility of the City Administrator, with the assistance of the City Attorney, if necessary, to review all proposed ordinances and resolutions to assure that each is properly drafted. Each proposed ordinance and resolution shall have a title clearly stating its subject and purpose. When a proposed ordinance amends or repeals existing ordinances, the title shall refer to the chapter, section, or subdivision affected. Proposed ordinances shall contain the full text of the section, subdivision, or paragraph as amended.

If a proposed ordinance is for an original ordinance and not an amendment of existing portions of the City Code, the sections, subdivisions, paragraphs, etc. shall be arranged, subdivided and numbered in like manner as the existing City Code, provided that proposed ordinances which relate only to single purpose, act or event, such as franchises, real estate sales, and annexations, shall remain uncoded and noted in Table of Special Ordinances of the City Code.

At the time of introduction, each resolution shall be numbered in numerical order preceded by the calendar year in which resolution is introduced. A separate numbering system shall be maintained for ordinances and for resolutions.

At any time before or after adoption the City Administrator is authorized to correct obvious mistakes in spelling, grammar and punctuation. In addition, the City Administrator may change obvious mistakes in the codification of any ordinance at any time prior to publication so as to provide that all ordinances are arranged, subdivided, and numbered in like manner as the existing City Code.

After adoption of any ordinances or resolutions, the City Administrator shall engross into it any amendments properly adopted prior to passage and prepare an accurate enrolled copy for signatures by the Mayor and attested to by the City Clerk. Ordinances shall be kept in a

permanent book in numerical order as adopted with proof of publication attached. Resolutions shall likewise be maintained with a separate book used for each session year of the Council. The City Clerk shall also maintain a copy with appropriate index of all resolutions of a permanent nature likely to affect City policy in numerous instances on a continuous basis in the future.

An enrolled proposed ordinance shall be labeled "An Ordinance" and in all other respects be identical to the proposed ordinance as passed by the Council subject to the correction of obvious mistakes as provided for in this rule.

A. After introduction any proposed ordinance or resolution may be referred by the Mayor to any regular or special committee of the Council or when appropriate, a City board or commission.

Amendments may be adopted at any time and shall be in writing except for minor amendments which may be made orally. The text of amendments need not be recorded in the minutes but shall be preserved along with the original proposed ordinance or resolution as introduced.

- 18. Any provision of these rules not governed by the Charter or State law may be temporarily suspended at any meeting by a majority (2/3 vote) of all members elected.
- 19. Per diem compensation will be paid at a rate of \$40.00 for one half day (one to four hours) and \$80.00 for one full day (over four hours) for City related out-of-town meetings.
- 20. These rules may be amended by a majority vote of all members elected, provided that such amendments shall be presented in writing at the preceding regular meeting and placed on the agenda under the order of new business.

Passed and adopted by the City Council of the City of Pipestone this 5<sup>th</sup> day of January 2026.

\_\_\_\_\_  
Dan Delaney  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie LaBrune  
City Administrator / Clerk

CITY OF PIPESTONE  
PIPESTONE COUNTY, MINNESOTA

**RESOLUTION 2026-2**

**A RESOLUTION DESIGNATING THE PIPESTONE COUNTY STAR AS THE OFFICIAL NEWSPAPER FOR THE CITY OF PIPESTONE**

WHEREAS, the Pipestone County Star is a paper of general distribution to the residents of the City of Pipestone; and

WHEREAS, the Pipestone County Star is a legal newspaper in accordance with Minnesota State Law;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pipestone, Minnesota, that the Pipestone County Star be, and hereby is, designated as the official newspaper for all legal publications for the City of Pipestone.

Passed and adopted by the City Council of the City of Pipestone this 5<sup>th</sup> day of January 2026.

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Dan Delaney  
Mayor

ATTEST:

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Stephanie LaBrune  
City Administrator / Clerk

CITY OF PIPESTONE  
PIPESTONE COUNTY, MINNESOTA

**RESOLUTION 2026-3**

**A RESOLUTION DESIGNATING FIRST FARMERS AND MERCHANTS BANK, FIRST BANK AND TRUST, AND FIRST STATE BANK SOUTHWEST AS THE OFFICIAL DEPOSITORIES OF CITY FUNDS**

WHEREAS, that the First Farmers and Merchants Bank, First Bank and Trust, and First State Bank Southwest be and hereby are designated as the depositories for the funds of the City of Pipestone. The City Treasurer is authorized to deposit City funds therein.

WHEREAS, that before any deposits are made in the depository in excess of the amount of such deposit guaranteed by the Federal Deposit Insurance Corporation, the depository shall be required to supply to the City, a corporate surety bond subject to the approval of the City Council and conditioned to repay the above amount or any part thereof upon proper demand therefor and to perform such other duties in connection with the deposit as the Council may require. In lieu of this bond, the depository may furnish collateral in the manner and to the extent permitted by law. All such collateral shall be approved by the Council and shall be accompanied by an assignment thereof which shall provide that, in case of default upon the part of the depository, the City Council shall have full power and authority to sell such collateral or as much as may be necessary to realize the full amount due the City over such federal guarantee.

BE IF FURTHER RESOLVED, the Mayor or City Administrator is hereby authorized to exercise the powers of the governing body in designating other depositories for City funds and is further authorized to approve third party financial institutions which shall hold collateral in safekeeping.

This designation is effective until the end of the present Council year.

Passed and adopted by the City Council of the City of Pipestone on this 5<sup>th</sup> day of January 2026.

\_\_\_\_\_  
Dan Delaney  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie LaBrune  
City Administrator / Clerk

CITY OF PIPESTONE  
PIPESTONE COUNTY, MINNESOTA

**RESOLUTION 2026-4**

**A RESOLUTION APPROVING THE MAYOR AND CITY COUNCIL MEMBERS OF THE CITY OF PIPESTONE BE COVERED BY THE MINNESOTA WORKER'S COMPENSATION LAW**

WHEREAS, Minnesota Law enables elected or appointed officials of the City to be covered by Minnesota Worker's Compensation; and

WHEREAS, the Mayor and City Council members intent is that they will be included as employees.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council members of the City of Pipestone be covered by the Minnesota Worker's Compensation Law effective March 1, 2026.

Passed and adopted by the City Council of the City of Pipestone this 5<sup>th</sup> day of January 2026.

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Dan Delaney  
Mayor

ATTEST:

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Stephanie LaBrune  
City Administrator / Clerk

CITY OF PIPESTONE  
PIPESTONE COUNTY, MINNESOTA

RESOLUTION 2026-5

A RESOLUTION ACCEPTING DONATIONS

WHEREAS, the City of Pipestone is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens; and

WHEREAS, the following entities and/or individuals have offered to contribute the cash amounts and tangible items as set below to the City of Pipestone:

<u>Name of Donor(s)</u>	<u>Amount</u>
Steven and Peg Lange	\$100.00 – Lights at the Lodge.
Pipestone Holding LLC	\$1,700.00 - Lights at the Lodge.
Marly L. Winter	\$8,900.27 Ewert Rec Center Operations

WHEREAS, such donations have been contributed to assist the Lights at the Lodge and the Ewert Rec Center as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donations offered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PIPESTONE, MINNESOTA, AS FOLLOWS:

1. The donations described above are accepted.
2. The City Clerk is hereby directed to issue a receipt to the donors acknowledging the City’s receipt of the donors’ donations.

Passed and adopted by the City Council of the City of Pipestone this 5<sup>th</sup> day of January 2026.

\_\_\_\_\_  
Dan Delaney  
Mayor

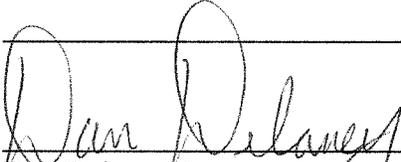
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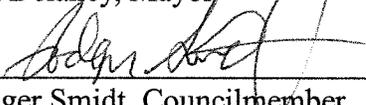
\_\_\_\_\_  
Stephanie LaBrune  
City Administrator / Clerk

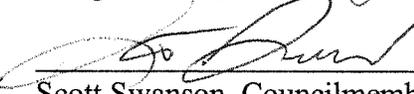
City Council Overall Summary and Comments: \_\_\_\_\_

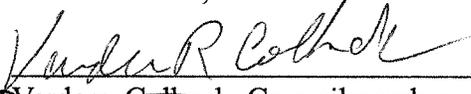
Joel's performance review for the years 2024 and 2025 is satisfactory.

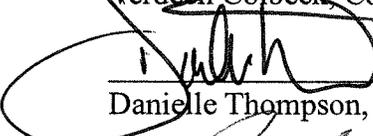
The council recommends Joel's Title to be changed to "Utility Director", keeping him at a pay grade 19. The council also recommends moving Joel's salary to step 9 effective 1/1/2026.

  
Dan Delaney, Mayor

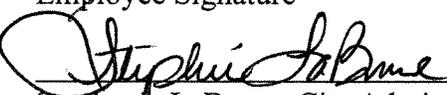
  
Rodger Smidt, Councilmember

  
Scott Swanson, Councilmember

  
Verdeen Colbeck, Councilmember

  
Danielle Thompson, Councilmember

  
Employee Signature

  
Stephanie LaBrune, City Administrator

12/16/2025  
Date of Performance Evaluation



LIABILITY COVERAGE WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before their effective date of coverage. Email completed form to your city's underwriter, to pstech@lmc.org, or fax to 651.281.1298.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.
If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name:

Check one:

[X] The member DOES NOT WAIVE the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.

[ ] The member WAIVES the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: 1/5/2026

Signature: \_\_\_\_\_

Position: City Administrator