



## **City Council Regular Meeting Agenda**

**May 19, 2025 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. May 5, 2025 Special Meeting Minutes

B. May 5, 2025 Regular Meeting Minutes

**6. Community Concerns (Maximum 3 Minutes Per Person)**

**7. Public Hearings, Petitions, and Bid Openings**

**8. Legal**

**9. Engineering**

**10. \*\*Financial**

**A.** Payment of Claims-Listing of Bills

**B.** April Financial Report

**11. Old Business**

**12. New Business**

A. Resolution 2025-31: A Resolution for Authorization to Submit a Proposal with the Minnesota Pollution Control Agency (MPCA) to Conduct the Pipestone Sanitary Sewer Improvement Project - Part 2

B. Resolution 2025-32: A Resolution Regarding and Application for Authorization for Exemption from Lawful Gambling License

C. Resolution 2025-33: A Resolution Accepting Donations

**13. Council Liaison Reports**

- A. Heritage Preservation
- B. Housing and Redevelopment Authority
- C. Human Rights
- D. Planning Commission
- E. Board of Appeals & Adjustments
- F. Community Improvement
- G. Park & Rec
- H. Utility

**14. Closing Comments**

**15. Executive/Closed Session**

- A. Pursuant to Minnesota Statutes, Section 13D.05, subdivision 3(b), to conduct a closed session pursuant to the attorney-client privilege to engage in confidential attorney-client communications related to the pending litigation matters in the Special Assessment Appeals related to the City's 2022 Street & Utility Improvement Project, Pipestone County District Court Files: 59-CV-23-427 to 59-CV-23-435.

**16. Adjournment**

Pipestone, Minnesota  
May 5, 2025

Pursuant to due call and notice thereof, a special meeting of the Pipestone City Council was duly held in-person and via Zoom in the Municipal Building at 5:15 p.m. on the 5<sup>th</sup> day of May 2025. Mayor Dan Delaney called the meeting to order. Roll call was taken, and a quorum was declared. Members present: Dan Delaney, Danielle Thompson, Scott Swanson, Rodger Smidt, and Verdeen Colbeck. Absent: none. Others present: Kyle Krier, Nick Bergman, Luke Johnson, Jim Whipple, Lauren Blacik, Steve Ewing, Dan Wildermuth, Michael Bloemendaal, Gabriel Yellowhawk, Justin Schmidt, Sam Westlund, Brady Nahkala, City Engineer Travis Winter, City Attorney Jason Hill via Zoom, Kyle Kuphal, Cable Access Coordinator Steve Moffitt, Assistant City Administrator/City Clerk Stephanie LaBrune, and City Administrator Deb Nelson.

Mayor Delaney stated that the Council is holding a special work session meeting to discuss the city's Safe Routes to School (SRTS) Project and hear a presentation from the Bolton & Menk on a Floodplain Improvement study that they completed on Judicial Ditch number 1 that goes through the city of Pipestone.

### **WORK SESSION**

#### **SRTS Project Update**

Engineer Winter and Justin Schmidt from Bolton & Menk gave an update on the SRTS project sharing information on moving the location of the proposed sidewalk to the north side of 4<sup>th</sup> St. NW. Schmidt stated that due to the grading on the north side of the road and already having curb on the south side of the road with a flatter grade, the south side of the road is an easier and cheaper option. He then asked what side the council prefers. Swanson asked what the added cost would be. Winter stated that the added cost would be on approximately 1,500 feet and was not entirely sure of the added cost. Delaney shared that he has heard concerns about safety with the traffic flow coming from the State and County Highway shops. Thompson said she has concerns with the proposed crosswalk east of the county's property saying that if is located just below a hill. Swanson said before the city gets too carried away, he wanted to note that 4<sup>th</sup> Street is a County State Aid Highway (CSAH). Winter stated that time is an issue saying that the project has not been bid yet and it needs to be fully completed in 2025. Discussion was then held on 8<sup>th</sup> Ave. Delaney asked if the sidewalk should be on the East of West side. Winter said there are more challenges with 8<sup>th</sup> Ave. He also said that any changes made now to the plans will need state approval. Winter also came back with an estimate of \$60,000 in added cost to the city for the changes made if the sidewalk goes on the North side of 4<sup>th</sup> St.

#### **JD 1 Floodplain Improvement Study**

Sam Westlund and Brady Nahkala with Bolton & Menk then gave a presentation to the council and audience on the potential options to help alleviate issues along County Judicial Ditch 1 in Pipestone during flood events. During the PowerPoint presentation five alternative options were provided and including raising road beds, widening bridges, building a berm, and creating upstream water retention projects to help lessen the impact of floodwaters. Winter stated that Bolton & Menk received an \$80,000 grant to perform the study. Following discussion, members of the audience thanked Bolton & Menk and the city for pursuing the study and stated that the information was valuable.

### **ADJOURNMENT**

Motion made by Thompson, seconded by Colbeck and unanimously carried to adjourn the meeting at 6:14 p.m.

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Dan Delaney  
Mayor

ATTEST:

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Stephanie LaBrune  
Assistant City Administrator / City Clerk

Pipestone, Minnesota  
May 5, 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 Municipal Building at 6:30 p.m. on the 5<sup>th</sup> day of May 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, Verdeen Colbeck and Danielle Thompson, Absent: none. Others present: Nelson Vanderpol, Kyle Kuphal, Water-Wastewater Superintendent Joel Adelman, City Attorney Jason Hill via Zoom, City Engineer Travis Winter, Cable Access Coordinator Steve Moffitt, Assistant City Administrator/City Clerk Stephanie LaBrune, and City Administrator Deb Nelson.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **APPROVE AGENDA - ADDITIONS, CHANGE OR DELETIONS**

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

### **CONSENT AGENDA**

Mayor Delaney stated the Consent Agenda contains the April 21, 2025 Regular Meeting Minutes, and the Payment of Claims-Listing of Bills. He then asked if there was any discussion regarding these items. No discussion was held.

Motion was made by Swanson, seconded by Thompson and unanimously carried to approve the Consent Agenda items which consisted of the April 21, 2025 Regular Meeting Minutes, and the Payment of Claims-Listing of Bills in the amount of \$215,675.95 for warrants #074771 to #074848 to be issued in payment thereof.

### **COMMUNITY CONCERNS**

Administrator Nelson stated that Nelson Vanderpol was signed in and no other concerns had been received.

Mayor Delaney invited Vanderpol to the podium. Vanderpol stated that he is a resident of 904 2<sup>nd</sup> St. S.W. and have lived there for 54 years. He said he is concerned about utility fees for snowbirds. He explained that he goes away to Arizona for five plus months and the city's water and sewer fees are too much. He said his bill this last month was \$77.87 and shared that he called Luverne and they only charge \$40.00 total for five months for a snowbird. He also said he called Marshall and they only charge \$187.50 for five months for a snowbird and Slayton only charges \$120.00 for five months. He then said there is a huge difference and asked if there could be a compromise worked out. Delaney stated that the council cannot act during community concerns.

### **PRESENTATION**

#### **Ordinance 166, Fourth Series Amending City Code Utility Service Line Regulations**

Water-Wastewater Superintendent, Joel Adelman, gave a brief presentation of the proposed utility service line regulation amendments in Ordinance 166, Fourth Series. Adelman explained that the policy for years had the curb stop as the dividing point for water service lines with the property owner sharing in 50% of the cost of the curbstop and covering 100% of the cost of the waterline

to their home. Additionally, he said that the property owner was responsible for 100% of their sewer main from their home to the city's sewer main. He went on to say that digging up to street to replace a sewer line can be costly for a homeowner. He said the proposed ordinance will end up costing the city more money but it should be a better solution in the long run.

Delaney stated that he feels the street is everyone's responsibility. Adelman continued by saying if the ordinance is passed, going forward the property line will be the dividing line for water and sewer utility upgrades or repairs. He added by saying any new development would have to pay for everything to the city's mains. Engineer Winter said the assessment policy that was just adopted reflects this ordinance as well. Adelman also warned the council that his repair and maintenance budgets will be significantly higher and the city will need to make sure and budget accordingly.

## **LEGAL**

### **Ordinance 165, Fourth Series**

Delaney stated Ordinance 165, Fourth Series is an Ordinance of the City of Pipestone Vacating All That Part of the Platted 16-Foot-Wide East/West Alley Lying Between Blocks One and Two, Crawford's Addition in the City of Pipestone According to the Plat Thereof on File and of Record in the Office of the County Recorder, Pipestone County, Minnesota. This Ordinance was introduced on April 21<sup>st</sup> and is now ready for council consideration.

Motion was made by Colbeck, seconded by Thompson and unanimously carried to adopt Ordinance 165, Fourth Series: An Ordinance of the City of Pipestone Vacating All That Part of the Platted 16-Foot-Wide East/West Alley Lying Between Blocks One and Two, Crawford's Addition in the City of Pipestone According to the Plat Thereof on File and of Record in the Office of the County Recorder, Pipestone County, Minnesota.

### **Ordinance 166, Fourth Series**

Delaney stated Ordinance 166, Fourth Series is an Ordinance Amending Chapters 50 and 91 of the City Code Regarding the Regulation of Utility Service Lines in the City. He said a presentation was given this evening by Water/Wastewater Superintendent Joel Adelman and the Ordinance is now ready for council consideration.

Motion was made by Swanson, seconded by Thompson and unanimously carried to adopt Ordinance 166, Fourth Series: An Ordinance Amending Chapters 50 and 91 of the City Code Regarding the Regulation of Utility Service Lines in the City.

## **ENGINEERING**

### **PAPI & REIL Pay Request No. 4 & Final**

Engineer Winter stated that the contractor has completed the project and the retainage is ready to be released with the approval of pay request no. 4.

Motion was made by Swanson, seconded by Thompson and unanimously carried to approve pay request no. 4 for the PAPI & REIL project at the airport in the amount of \$12,442.00 to Werner Bros. Inc.

## **NEW BUSINESS**

### **Request for Council Action – Performing Arts Center**

Delaney shared that the Pipestone Performing Arts Center is requesting permission to place four (4) flags right outside the Performing Arts Center (see attached photos) on the curb to promote the

upcoming musical comedy “HONK!” – the musical tale of the Ugly Duckling. Show dates are June 19<sup>th</sup> – 22<sup>nd</sup> and June 26<sup>th</sup> – 29<sup>th</sup>. Flags would be flown downtown on the curb after Memorial Day and during the entire month of June. The flags will include the show title and performance dates. This has been approved in the past.

Colbeck asked if the flags could be removed for flag day so the American flags could be put up.

Motion made by Thompson, seconded by Smidt, and unanimously carried to approve the Pipestone Performing Arts Center’s request as presented with the condition that their flags are removed for flag day.

#### Request for Council Action – Relay for Life

Delaney informed the council that the Pipestone Relay for Life Committee is requesting the use of six (6) picnic tables and four (4) 95-gallon garbage totes for their planned taco drive thru fundraiser event at Dave’s Guns on May 15<sup>th</sup>. He said this is a new event; however, the city has assisted the Relay for Life Committee with past events.

#### Resolution 2025-27

Delaney said this resolution if approved will grant a variance for First State Bank Southwest to install a second sign that exceeds the required size limitation at 202 8th Avenue SE in the City of Pipestone. The Board of Adjustments and Appeals held a public hearing on this variance on April 8<sup>th</sup> and is recommending the council approve the variance request.

Motion was made by Swanson, seconded by Thompson and unanimously carried to approve Resolution 2025-27: A Resolution Granting a Variance to Install a Second Sign that Exceeds the Required Size Limitation at 202 8<sup>th</sup> Avenue SW in the City of Pipestone.

#### Resolution 2025-28

Delaney stated the Pipestone Area Friends of the Library has donated \$1,367.68 in books and prize items to the library and the books will increase the library’s collection and the prize items will be used for the promotion of National Library Week. He shared that this resolution accepts the donation.

Motion was made by Colbeck, seconded by Thompson, and unanimously carried to approve Resolution 2025-28: A Resolution Accepting Donations.

#### Resolution 2025-29

Delaney said this resolution is to approve the engineers plans and specifications and order the advertisement of bids for the Industrial Road project. He further explained that it is planned for bids will be accepted until 6:30p.m. on June 2, 2025 and for the council to consider awarding a bid at their June 16<sup>th</sup> council meeting.

Motion by Swanson, seconded by Smidt, and unanimously carried to approve Resolution 2025-29: A Resolution Approving Plans and Specifications and Ordering Advertisement for Bids.

#### Resolution 2025-30

Delaney said at the last council meeting two bids were received for the 80x80 airport hangar project. He explained that Silas Parmar with Bolton & Menk has reviewed the bids and is

recommending the council approve the low bid of \$803,732.46 from Everstrong Construction Inc. of Redwood Falls, MN. Engineer Winter explained that the total cost of the project to the city will be approximately \$24,000. He said the remaining funding will come from funds received from a bipartisan infrastructure bill.

Motion by Swanson, seconded by Colbeck and unanimously carried to award the 80x80 project bid to the low bidder Everstrong Construction Inc. of Redwood Falls, MN in the amount of \$803,732.46.

#### Proposal for Professional Services

Delaney said at the November 18, 2024 council meeting, the city council authorized Bolton & Menk's proposal to complete design and bid administration services for the construction of an 80x80 hangar at the airport. Bolton & Menk has now provided the council with a Proposal for Professional Services which will include construction administration services. He said, the proposal is included in the council packets and the total sum of the proposal is \$80,000 of which \$76,000 (95%) will be paid by Federal Funding, \$2,000 (2.5%) will be paid for by State Funding, and the city will be responsible for the remaining \$2,000 (2.5%). Winter stated that the \$2,000 cost to the city was included in is \$24,000 total cost estimate he shared with the council earlier.

Motion made by Swanson, seconded by Colbeck, and unanimously carried to approve signing the proposal to work with Bolton & Menk on the design and administration of the 80x80 airport hangar.

#### Appointment of Interim Accounts Payable – Administrative Assistant

Delaney said with the recent resignation of the Accounts Payable-Administrative Assistant, Administrator Nelson is proposing to appoint Ashley Wiese, current Administrative Assistant, as the interim Accounts Payable-Administrative Assistant. Council approval is needed to confirm the appointment. Nelson said that position will for about 3 months and serve as a probationary period for Wiese.

Motion made by Swanson, seconded by Thompson, and unanimously carried to approve Ashley Wiese as the Interim Accounts Payable – Administrative Assistant.

#### Authorize Advertisement for Interim Administrative Assistant

Delaney said Nelson is requesting approval to advertise for an Interim Administrative Assistant to assist with front desk duties. Nelson informed the council that the position would be a 3-month interim position that would likely turn into a full-time position.

Motion made by Colbeck, seconded by Thompson, and unanimously carried to approve advertising for an interim Administrative Assistant.

#### Fireworks License

Delaney said Coborn's Incorporated is requesting to sell Minnesota legal fireworks at their store in Pipestone. He shared that the Fire Chief and Building Official have signed off on this application and the City Clerk is recommending the approval of the Fireworks License for Coborn's.

Motion by Thompson, seconded by Colbeck, and unanimously carried to approve the 2025 annual firework's license for Coborn's Incorporated.



Provider Appreciation Proclamation

Delaney read a Provider Appreciation Day Proclamation, sharing that the city of Pipestone is declaring May 9, 2025 as Provider Appreciation Day and urging all citizens to recognize Child Care Providers for their important work, and how valuable they are for our communities. He said they are the workforce behind the workforce.

CLOSING COMMENTS –

Mayor Delaney shared that there would be some warranty work done on 2<sup>nd</sup> St. S.E. starting on May 7<sup>th</sup> and going on through the end of May.

Councilmember Swanson reminded everyone of cleanup week and stated that once the city has gone by your house, they will not come back.

Councilmember Smidt asked that people do not put anything on anyone else’s curb for cleanup week. He said he has heard some complaints about it.

Colbeck shared that PCMC is hosting a 5K for Parkinson’s on May 8<sup>th</sup> at the Paulsen Field Complex.

ADJOURNMENT

Motion made by Swanson, seconded by Thompson, and unanimously carried to adjourn the meeting at 7:02 p.m.

Dan Delaney  
Mayor

ATTEST:

Stephanie LaBrune  
Assistant City Administrator / City Clerk

RESOLUTION 2025-31

A RESOLUTION FOR AUTHORIZATION TO SUBMIT A PROPOSAL WITH THE MINNESOTA POLLUTION CONTROL AGENCY (MPCA) TO CONDUCT THE PIPESTONE SANITARY SEWER IMPROVEMENT PROJECT – PART 2.

BE IT RESOLVED by the City of Pipestone to submit a proposal with the Minnesota Pollution Control Agency (MPCA) to conduct the following Project:

- Pipestone Sanitary Sewer Service Improvement Project – Part 2.

BE IT FURTHER RESOLVED that Joel Adelman, City Water/Wastewater Superintendent be authorized to submit the proposal for the above-mentioned Project and shall have the authority to represent this body in all matters that do not specifically require the action of this body.

BE IT FURTHER RESOLVED that submittal of a proposal does not obligate this body to accept a grant and/or a loan if so offered.

Passed and adopted by the City Council of the City of Pipestone this 19<sup>th</sup> day of May 2025.

/s/ Dan Delaney  
Dan Delaney  
Mayor

ATTEST:

/s/ Deb Nelson  
Deb Nelson  
City Administrator

RESOLUTION 2025-32

A RESOLUTION REGARDING AN APPLICATION FOR AUTHORIZATION FOR EXEMPTION FROM LAWFUL GAMBLING LICENSE.

WHEREAS, Pipestone Country Club Inc., Pipestone, Minnesota, a non-profit organization, has requested a Lawful Gambling Exemption by written application dated May 9, 2025; and

WHEREAS, said organization intends to sponsor gambling activity at the Pipestone Country Club, 1003 8<sup>th</sup> Ave SE, Pipestone, Minnesota.

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

1. The City of Pipestone does approve the Application for Exemption for special event of July \_\_, 2025, filed with the City and/or the Minnesota Charitable Gambling Board.
2. The City Clerk is directed to sign the City Approval for the Lawful Gambling Exemption application dated May 9, 2025, and to forward same, together with a copy of this resolution to the applicant who will then forward the information onto the Minnesota Charitable Gambling Control Board.

Adopted by the City Council of the City of Pipestone this 19<sup>th</sup> day of May 2025.

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Dan Delaney  
Mayor

ATTEST:

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Deb Nelson  
City Administrator

RESOLUTION 2025-33

A RESOLUTION ACCEPTING DONATIONS

WHEREAS, the City of Pipestone is generally authorized to accept donations of real and personal property with monetary value 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/or tangible items as set below to the City of Pipestone:

<u>Name of Donor(s)</u>	<u>Amount</u>
• Prairielands Library Exchange	\$1,000 Grant to support the Library’s Series of Plants Program.

WHEREAS, such donations have been contributed to assist the city 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 19<sup>th</sup> day of May 2025.

Dan Delaney  
Mayor

ATTEST:

Deb Nelson  
City Administrator