

May 12, 2020

The regular meeting of the City Council of the City of Sleepy Eye was held electronically in accordance with MN Statute 13D.021. Meeting was held via WebEx at 7:00 p.m. on the 12th day of May 2020 per due call and notice. Mayor Wayne Pelzel and Councilors Nathan Stevermer, Douglas Pelzel, Joann Schmidt, Larry Braun and Gary Windschitl were present. Also, present were City Manager Bob Elston, City Attorney Alissa Groen, Public Works Director Mike Hardin, City Engineer David Palm, Chief of Police Matt Andres and City Clerk Michelle Strate.

Councilor Schmidt made a motion to approve Resolution 12-2020.

RESOLUTION # 12-2020

Resolution Establishing Unfeasibility of In-Person Meetings due to COVID-19

CITY OF SLEEPY EYE, MINNESOTA

WHEREAS, on March 13, 2020, Minnesota Governor Tim Walz issued Executive Order 20-01, “Declaring a Peacetime Emergency and Coordinating Minnesota’s Strategy to Protect Minnesotans from COVID-19,” declaring a peacetime emergency under Minn. Stat. § 12.31, subd. 2;

WHEREAS, the Center for Disease Control has labeled COVID-19 as a pandemic illness;

WHEREAS, COVID-19 poses a risk to the health, welfare, and safety of the public;

WHEREAS, the Minnesota Department of Health has issued guidelines and recommendations to slow the spread of COVID-19 that include limiting social interaction;

WHEREAS, the City of Sleepy Eye, Minnesota provides important services related to transportation, public safety, economic development, critical infrastructure and protection of property;

WHEREAS, Minn. Stat. § 13D.021 permits open meetings to be conducted through telephone or other electronic means if:

1. The presiding officer for the governing body finds it not practical or prudent to meet in person because of a health pandemic or an emergency declared under Minn. Stat. Ch. 12;
2. All members of the body participating in the meeting, wherever their physical location, can hear one another and hear all testimony and discussion;
3. Members of the public present at the regular meeting location can hear all discussion, testimony, and votes of the public body, unless attendance at the meeting is not feasible due to health pandemic or emergency declaration;
4. At least one member of the body, chief legal counsel, or chief administrative officer is present at the regular meeting location, unless unfeasible due to health pandemic or emergency declaration; and
5. All votes of the body are conducted by roll call so each member’s vote can be identified and recorded; and

WHEREAS, the Mayor of the City of Sleepy Eye, Minnesota, finds that that in-person city council meetings are not practical or prudent because of the COVID-19 health pandemic, and that city meetings shall be held by telephone or other electronic means pursuant to Minnesota Statute, section 13D.021.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF SLEEPY EYE, MINNESOTA AS FOLLOWS:

1. Due to COVID-19 health pandemic and the public health emergency it is not feasible for members of the public to hear all discussion and testimony and all votes of the city council during meetings held by electronic means.
2. Due to the COVID-19 health pandemic and public health emergency, it is not feasible to have at least one member of the city council or other appropriate staff physically present at the regular meeting location during meetings held by electronic means.
3. All City meetings governed by Minnesota Statutes, Chapter 13D, will be conducted through telephone or other electronic means without members of the public or City officials present at the regular physical location so long as a health pandemic exists or an emergency is declared under Minnesota Statutes, Chapter 12.
4. City staff is directed, to the extent practical, provide means for the public to monitor City meetings held by telephone or other electronic means from a remote location.
5. City staff is directed to provide notice of all City meetings held by telephone or other electronic means in a manner consistent with state law.

5/12/2020
Date

/s/Wayne Pelzel
Mayor

Attest:

/s/Michelle Strate
City Clerk

Councilor Pelzel seconded the motion. Motion passed with roll call votes 5-0.

Councilor Schmidt moved to approve the minutes of the April 14, 2020 regular meeting. Councilor Pelzel seconded the motion. Motion passed with roll call votes 5-0.

The Mayor's Declaration of Local Emergency is allowed to expire.

George Eilertson from Northland Bonds was also available at meeting to talk about the \$6,105,000 General Obligation Refunding Bonds Series 2020A. Councilor Stevermer made a motion awarding the sale of the refunded bonds. Councilor Windschitl seconded the motion and the motion passed with roll call votes 5-0.

Councilor Schmidt moved to approve the following liquor and beer licenses for July 1, 2020 to June 30, 2021: JANU-4 Freedom, 400 Main Street West – Beer Off Sale -- \$50.00
Schutz Family Foods, 900 Main Street East – Beer Off Sale -- \$50.00
SE Baseball Assn, Sleepy Eye Baseball Park – Seasonal Beer On Sale -- \$100.00
SE Lanes, Lydell Sik, 140 1st Avenue S – Beer On Sale -- \$100.00
Meyers Bar & Lounge, Scott Meyer, 201 Main Street E, -- Liquor/Sunday Liquor -- \$2,450.00
Beer Off sale -- \$50.00

Servicemen's Club, 113 First Avenue S – Liquor/Sunday Liquor -- \$2,450.00

City of Sleepy Eye Event Center, 110 12th Avenue SE – Liquor/Sunday Liquor -- \$.00

Railway Bar & Grill, LLC, Daniel & Susan Helget, 300 1st Avenue N – Liquor/Sunday Liquor -- \$2,450.00

Sleepy Eye Off Sale LLC, 902 Main Street East – Off Sale Liquor - \$800.00
Sleepy Eye Brewing Co., LLC, 121 Main Street West – On Sale Brewers Tap & Sundays
License/Brewer Off Sale Intoxicating Liq License with Sunday Lic - \$1,200.00

Councilor Stevermer seconded the motion and the motion passed with roll call vote 5-0.

Councilor Windschitl made a motion to refund prorated liquor license for each month closed during the pandemic. Councilor Pelzel seconded the motion and the motion passed 4-0 with Councilor Braun abstaining.

Councilor Stevermer moved to approve the following one-day beer permits:

Knights of Columbus, July 4, 2020, at Allison's Park

Sleepy Eye Area Chamber of Commerce, Corn Days August 21 and 22, 2020

St. Mary's Church Festival, August 2, 2020

Servicemen's Club, August 21, 2020

Councilor Windschitl seconded the motion and the motion passed with roll call votes 5-0.

Councilor Schmidt moved to approve the following plumbing permits:

Ron Berdan dba Berdan's Plumbing and Heating, 136 1st Avenue N, Sleepy Eye

Calvin Buddensick dba B & B Plumbing & Heating, 326 N Bagen Avenue, Springfield

Bruce's Plumbing & Heating Inc., PO Box 77, St James, MN 56081

Phlag Mechanical Inc dba Feeder Mechanical, 18 Drew Avenue NE, Madelia

James Hensel dba JP Plumbing & Heating, 1800 N State, New Ulm

Philip G. Kirschstein dba Schultz Plumbing & Heating & Drain Cleaning Inc, 1809 N Minnesota Street, New Ulm

Duane J. Javens dba Javens Mechanical Contracting Co., 59160 Madison Avenue, Mankato

Wayne V. Klassen dba Klassen Mechanical Inc, 7 River Street, New Ulm

Christopher M. Williams dba CW Plumbing LLC, 1320 N Payne Street, New Ulm

Gag Sheet Metal Inc. dba Schanus-Gag Plumbing, 103 3rd North, New Ulm

Kerkhoff Plumbing & Heating Inc., Adam Kerkhoff, owner, 106 Vernon Avenue, Morgan

Kiecker Plumbing & Heating, Michael Scott Kiecker owner, 116 SE 1st St. PO Box 384, Fairfax

Robert K Vee dba Vee Plumbing & Heating, 317 Benzel Avenue, Madelia

Gary Welter dba Welter Plumbing & Heating, 112 3rd Street E, Morgan

Brad A. Tatro, Tatro Plumbing & Heating, 25 First St. NW, Madelia

LA Plumbing & Heating LLC, Lawrence D. Allen, 310 N. Bagen Ave, Springfield

B&N Plumbing-n-Heating, Nate Wanzek, 28639 Laser Ave, Redwood Falls

Councilor Pelzel seconded the motion and the motion passed with roll call votes 5-0.

Councilor Braun made a motion to freeze spending for 2 years except for daily operating expenses. There was not a second to the motion and the motion failed.

Councilor Windschitl made a motion to move forward with a study on the sediment on Lake Sleepy Eye and in the slough. The cost is approximately \$69,000.00. Mayor Pelzel will be requesting that one-half of the cost be paid in 2020 and the 2nd half in 2021. Councilor Schmidt seconded the motion and the motion passed with roll call votes 4-1, with Councilor Braun voting against.

Councilor Stevermer moved not to object to the following applications to the MN

Gambling Control Board:

7/1/2020 St. Mary's Church

8/2/2020 St. Mary's Church

Councilor Braun seconded the motion and the motion passed with roll call votes 5-0.

Councilor Stevermer moved to approve the following permits to sell and display fireworks:

1. Sleepy Eye Fireworks LLC, 617 Main Street West to sell fireworks
2. Freedom Station, 400 Main Street West to sell fireworks
3. Schutz Foods, 900 Main Street East to sell fireworks

Councilor Windschitl seconded the motion and the motion carried.

No City Attorney report this month

City Engineer David Palm reported on the following:

- A. 12th Avenue Project. Mathiowetz Construction is working and the partial pay estimate 1 is due.
- B. 2020 Project. MR Paving has started on the project. Partial pay estimate 1 is due.

City Manager Elston reported on the following:

- A. Discussed the opening of the Pool for the summer amid the pandemic. This decision will be made in the future. We will see what the Governor says this week.
- B. Councilor Schmidt made a motion to approve the \$12,500 appropriation to the Home Cemetery. Councilor Braun seconded the motion and the motion passed with roll call votes 5-0.
- C. Sleepy Hollow 5th Addition lot prices, the lots that are just south of Elm Street that is being developed. Will discuss at Finance Meeting on May 20, 2020 at 12:30.

No miscellaneous correspondence

Councilor Pelzel made a motion to approve the Police Report. Councilor Windschitl seconded the motion. Motion passed with roll call votes 5-0.

Councilor Schmidt made a motion to approve the Cash Fund Balances. Councilor Stevermer seconded the motion. Motion passed with roll call votes 5-0.

Councilor Braun moved to approve and allow payment of the monthly bills. Councilor Pelzel seconded the motion. Motion passed with roll call votes 5-0.

There was no other business.

The meeting was properly adjourned at 8:33 p.m.

Wayne Pelzel, Mayor

Michelle Strate, City Clerk