

August 5, 2020

The special meeting of the City Council of the City of Sleepy Eye was held at the Sleepy Eye Council Chambers and electronically in accordance with MN Statute 13D.021. Meeting was held via GoToMeeting and in the Council Chambers, 200 Main Street East, Sleepy Eye, MN, at 6:00 p.m. on the 5th day of August 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 Attorney Brandon Fitzsimmons and City Clerk Michelle Strate.

Councilor Pelzel made a motion to approve Resolution 21-2020.

RESOLUTION # 21-2020
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 **in person** 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 **may not be** 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.

August 5th, 2020
Date

/s/Wayne Pelzel
Mayor

Attest:

/s/Michelle Strate
City Clerk

Councilor Windschitl seconded the motion and the motion carried.

Councilor Pelzel made the motion:

1. That Andrew Kelton be dismissed from employment with the City of Sleepy Eye, effective August 10, 2020, for, but not limited to, the reasons stated in City Manager Bob Elston's letter to Andrew Kelton of July 31, 2020.
2. That City administration provide Andrew Kelton with any appropriate notices related to this decision.

Motion seconded by Councilor Schmidt. Motion carried with roll call votes 4-1 with Councilor Braun voting against.

The meeting was properly adjourned at 7:04 p.m.

Wayne Pelzel, Mayor

Michelle Strate, City Clerk