

August 11, 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 GoToMeeting and in the Council Chambers, 200 Main Street East, Sleepy Eye, MN at 7:00 p.m. on the 11<sup>th</sup> 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 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 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 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.

8/11/2020  
Date

/s/Wayne Pelzel  
Mayor

Attest:

/s/Michelle Strate  
City Clerk

Councilor Pelzel seconded the motion and the motion carried.

Councilor Schmidt moved to approve the minutes of the July 14, 2020 Regular Meeting and August 5, 2020 Special Meeting. Councilor Windschitl seconded the motion and the motion carried.

Mayor Pelzel has recommended the appointed Phil Siefkes to the Housing Development Board and Larry Pelzel to the Planning and Zoning Board. Councilor Pelzel made a motion to approve these appointments. Councilor Windschitl seconded the motion and the motion carried.

Sara Oberloh, representing the firm of Oberloh & Associates, LTD was present to review the FYE 12/31/19 audit report of the various funds of the city. Oberloh went over the internal control and compliance issues and explained the financial analysis. The audit will be filed with the State. Councilor Schmidt moved to approve the 2019 Audit Report. Councilor Stevermer seconded the motion and the motion carried.

Councilor Schmidt made a motion to approve a 3’x4’ sign on an 8’ pole to be constructed by the Schoenstatt Sisters of Mary facility along the bike path. Councilor Windschitl seconded the motion carried and motion carried.

Councilor Schmidt made a motion to approve a Conditional Use Permit for Tamara Miller-Como to allow rental of indoor storage space for recreational vehicles in her existing building. Councilor Stevermer seconded the motion and the motion carried.

Councilor Windschitl made a motion to approve Resolution 22-2020, adopting Brown County All-Hazard Mitigation Plan

**RESOLUTION #22-2020**  
RESOLUTION ADOPTING THE  
BROWN COUNTY ALL-HAZARD MITIGATION PLAN  
**CITY OF SLEEPY EYE, MINNESOTA**

WHEREAS, the City of Sleepy Eye has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

WHEREAS, the Brown County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the Brown County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the Brown County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Brown County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the Brown County All-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

WHEREAS, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan.

NOW THEREFORE BE IT RESOLVED that the City of Sleepy Eye supports the hazard mitigation planning effort and wishes to adopt the Brown County All-Hazard Mitigation Plan.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Clerk this 11th day of August 2020.

/s/Wayne Pelzel\_\_\_\_\_

Mayor Wayne Pelzel

Attest:

/s/Michelle Strate\_\_\_\_\_

City Clerk – Michelle Strate

Councilor Windschitl seconded the motion and the motion carried.

Attorney Groen reported on the following:

- A. Councilor Pelzel called for First Reading of Ordinance #172 An Ordinance for Selling Real Estate to Thomas and Diane Stoks for purchase price of \$32,000.00.
- B. Councilor Stevermer called for First Reading of Ordinance #171 An Ordinance for Selling Real Estate to Dennis and Sharon Fromm for purchase price of \$96,000.00 and \$24,000.00
- C. Councilor Pelzel called for First Reading of Ordinance #173 An Ordinance to Plat Lots in Sleepy Hollow 6<sup>th</sup> Addition, the lots selling to Hillesheim and Fromm.
- D. Councilor Braun made a motion to approve the house demo of 412 maple Street SW and to assess our cost against the property. Councilor Stevermer seconded the motion and the motion carried.

City Engineer David Palm reported on the following:

- A. 12<sup>th</sup> Avenue Project. Mathiowetz Construction is working and the partial pay estimate 4 is due.
- B. 2020 Project. MR Paving is working on the project. Partial pay estimate 4 is due.
- C. 1<sup>st</sup> Ave/St. Mary's Street. County is still working on survey.

City Manager Elston reported on the following:

- A. Proposed Finance Meetings for August 19 and 26 at noon for budget workshops.

Councilor Stevermer made a motion to approve the Police Report and Cash Fund Balances. Councilor Windschitl seconded the motion and the motion carried.

Councilor Schmidt moved to approve and allow payment of the monthly bills. Councilor Pelzel seconded the motion and the motion carried.

There was no other business.

The meeting was properly adjourned at 9:00 p.m.

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Wayne Pelzel, Mayor

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Michelle Strate, City Clerk