

RESOLUTION 1-2020

WHEREAS, the City Code for the City of Sleepy Eye, Minnesota, provides that no division of an existing parcel of land within the City shall be filed, or accepted for filing, by the Brown County Recorder unless it is accompanied by a certified copy of a Resolution adopted by the City Council approving such division; and

WHEREAS, Jay Van Sickle, a single person (hereinafter collectively “Van Sickle”) is the owner of Lot 1, Block 1, Parkview Addition, according to the recorded plat thereof, City of Sleepy Eye, Brown County, Minnesota; and

WHEREAS, Van Sickle has requested permission from the City of Sleepy Eye to split the property prior to marketing it for sale.

NOW, THEREFORE, BE IT RESOLVED, the City Council for the City of Sleepy Eye hereby approves the division of the real estate legally described as follows:

Lot 1, Block 1, Parkview Addition, according to the recorded plat thereof, City of Sleepy Eye, Brown County, Minnesota;

into two separate parcels being legally described in the attached Exhibit “A” and “B”.

Said Resolution was passed on January 14, 2020.

Dated: January 14, 2020

Wayne Pelzel, Mayor of the City of Sleepy Eye

Russell “Bob” Elston, City Manager

Exhibit "A"

The East 124.36 feet of Lot 1, Block 1, Parkview Addition, according to the recorded plat thereof, City of Sleepy Eye, Brown County, Minnesota.

Exhibit "B"

Lot 1, Block 1, Parkview Addition, according to the recorded plat thereof, City of Sleepy Eye, Brown County, Minnesota; excepting the East 124.36 feet thereof.

RESOLUTION 2-2020

WHEREAS, the City Code for the City of Sleepy Eye, Minnesota, provides that no division of an existing parcel of land within the City shall be filed, or accepted for filing, by the Brown County Recorder unless it is accompanied by a certified copy of a Resolution adopted by the City Council approving such division; and

WHEREAS, Charles C. Hansen, a single person, Mary Jeanne Bloodgood and Gregory Bloodgood, wife and husband, Kathy Jo Marti and Robert C. Marti, wife and husband, (hereinafter collectively "Hansen") are the owners of Lot "B" of the SW ¹/₄ of the SW ¹/₄ of SE ¹/₄ , EXCEPTING therefrom Lots B-1, B-2, B-3, B-4, B-5, B-6, and the C.C. Hansen First Addition, City of Sleepy Eye, Sec. 30, Twp. 1 1 0, Range 32, Brown County, Minnesota; and

WHEREAS, Hansen has requested permission from the City of Sleepy Eye to split the property prior to a sale to a neighboring parcel owner, Glen and Lisa Schuster;

NOW, THEREFORE, BE IT RESOLVED, the City Council for the City of Sleepy Eye hereby approves the division of the real estate legally described as follows:

Lot "B" of the SW ¹/₄ of the SW ¹/₄ of SE ¹/₄ , EXCEPTING therefrom Lots B-1, B-2, B3, B-4, B-5, B-6, and the C.C. Hansen First Addition City of Sleepy Eye, Sec. 30, Twp. 110, Range 32, Brown County, Minnesota; into two separate parcels being

legally described in the attached Exhibit "A" and "B".

Said Resolution was passed on January 14, 2020.

Dated: January 14, 2020

Wayne Pelzel, Mayor of the City of Sleepy Eye

Russell "Bob" Elston, City Manager
Exhibit "A"

Lot "B" of the SW ¹/₄ of the SW ¹/₄ of SE ¹/₄ , EXCEPTING therefrom Lots B-1, B-2, B-3, B-4, B-5, B-6, and the C.C. Hansen First Addition, City of Sleepy Eye, Sec. 30, Twp. 110, Range 32, Brown County, Minnesota, and EXCEPTING therefrom:

That part of the Balance of Lot B in the Southwest Quarter of the Southeast Quarter of Section 30, Township 110 North, Range 32 West, Brown County Minnesota, described as follows:

Beginning at the Northwest corner of Lot A of the Southwest Quarter of the Southeast Quarter of said Section 30; thence South 89 degrees 55 minutes 19 seconds East bearing based on the Brown County Coordinate System NAD83(11) on the north line of said Lot A, a distance of 86.10 feet to the Southwest corner of Lot B-3 of said Southwest Quarter; thence North 00 degrees 04 minutes 41 seconds East on the west line of said Lot B-3, a distance of 120.00 feet to the Northwest corner of said Lot B-3; thence North 46 degrees 05 minutes 54 seconds East on the north line of said Lot B-3, a distance of 138.97 feet to the Northeast corner of said Lot B-3, thence North 00 degrees 01 minutes 34 seconds East, a distance of 23.37 feet to the Northwest corner of Outlot 9 of Allison's First Addition of Outlots; thence South 53 degrees 56 minutes 24 seconds West, a distance of 123.81 feet; thence South 32 degrees 00 minutes 49 seconds West, a distance of 162.81 feet; thence South 00 degrees 00 minutes 44 seconds West, a distance of 28.69 feet to the point of beginning.

Said parcel contains 0.27 acres of land.

Exhibit "B"

That part of the Balance of Lot B in the Southwest Quarter of the Southeast Quarter of Section 30, Township 110 North, Range 32 West, Brown County Minnesota, described as follows:

Beginning at the Northwest corner of Lot A of the Southwest Quarter of the Southeast Quarter of said Section 30; thence South 89 degrees 55 minutes 19 seconds East bearing based on the Brown County Coordinate System NAD83(11) on the north line of said Lot A, a distance of 86.10 feet to the Southwest corner of Lot B-3 of said Southwest Quarter; thence North 00 degrees 04 minutes 41 seconds East on the west line of said Lot B-3, a distance of 120.00 feet to the Northwest corner of said Lot B-3; thence North 46 degrees 05 minutes 54 seconds East on the north line of said Lot B-3, a distance of 138.97 feet to the Northeast corner of said Lot B-3; thence North 00 degrees 01 minutes 34 seconds East, a distance of 23.37 feet to the Northwest corner of Outlot 9 of Allison's First Addition of Outlots; thence South 53 degrees 56 minutes 24 seconds West, a distance of 123.81 feet; thence South 32 degrees 00 minutes 49 seconds West, a distance of 162.81 feet; thence South 00 degrees 00 minutes 44 seconds West, a distance of 28.69 feet to the point of beginning.

Said parcel contains 0.27 acres of land.

**CERTIFICATION OF MINUTES
RELATING TO GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A**

ISSUER: City of Sleepy Eye, Minnesota

BODY: City Council

KIND, DATE, TIME AND PLACE OF MEETING:

A regular meeting held on Tuesday, February 11, 2020, at 7:00 p.m., in the City Offices

MEMBERS PRESENT: Mayor Pelzel, Councilors Windschitl, Stevermer, Pelzel, Schmidt and Braun.

MEMBERS ABSENT: None

Documents Attached: Extract of Minutes of said meeting.

RESOLUTION 3-2020

**RESOLUTION APPROVING THE ISSUANCE OF
GENERAL OBLIGATION REFUNDING BONDS,
SERIES 2020A**

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the obligations referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to said obligations; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS MY HAND officially as such recording officer on February 11, 2020.

Clerk

EXTRACT OF MINUTES OF A MEETING
OF THE CITY COUNCIL OF THE CITY OF SLEEPY EYE, STATE OF MINNESOTA

HELD: Tuesday, February 11, 2020

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Sleepy Eye, State of Minnesota, was duly held on Tuesday, February 11, 2020 at 7:00 p.m.

Council member Windschitl introduced the following resolution and moved its adoption:

RESOLUTION 3-2020

**RESOLUTION APPROVING THE ISSUANCE OF
GENERAL OBLIGATION REFUNDING BONDS,
SERIES 2020A**

BE IT RESOLVED by the City Council of the City of Sleepy Eye, State of Minnesota (herein, the "City"), as follows:

1. The City Council hereby finds and declares that it is necessary and expedient for the City to sell and issue its fully registered general obligation refunding bonds in the total aggregate principal amount not to exceed \$6,500,000 (herein, the "Bonds"). The proceeds of the Bonds will be used, together with any additional funds of the City which might be required for (i) a current refunding of all or a portion of the January 15, 2021 through 2037 maturities, aggregating up to \$3,150,000 in principal amount, of the City's General Obligation Hospital Revenue Refunding Bonds, Series 2012A, dated April 1, 2012 as date of original issue, (ii) a current refunding of all or a portion of the December 1, 2020 through 2027 maturities, aggregating up to \$1,545,000 in principal amount, of the City's General Obligation Improvement Bonds, Series 2012B, dated July 1, 2012 as date of original issue, (iii) a current refunding of all or a portion of the February 1, 2021 through 2040 maturities, aggregating up to \$1,190,000 in principal amount, of the City's General Obligation Improvement Bonds, Series 2012C, dated October 1, 2012 as date of original issue, (iv) a current refunding of all or a portion of the February 1, 2021 through 2040 maturities, aggregating up to \$320,000 in principal amount, of the City's General Obligation Improvement and Refunding Bonds, Series 2012D, dated November 1, 2012 as date of original issue, and (v) to pay the costs associated with issuing the Bonds.
2. The City Council desires to proceed with the sale of the Bonds by direct negotiation with Northland Securities, Inc. ("NSI"). NSI will purchase the Bonds in an arm's-length commercial transaction with the City.
3. The Mayor and the City Manager are hereby authorized to approve the sale of the Bonds in an aggregate principal amount not to exceed \$6,500,000 and to execute a bond purchase agreement for the purchase of the Bonds with NSI, provided the total savings is at least \$500,000.

4. Upon approval of the sale of the Bonds by the Mayor and the City Manager, the City Council will take action at its next regularly scheduled or special meeting thereafter to adopt the necessary approving resolutions as prepared by the City's bond counsel.
5. NSI is authorized to prepare an Official Statement related to the sale of the Bonds.
6. If the Mayor and City Manager have not approved the sale of the bonds to NSI and executed the related bond purchase agreement by July 31, 2020, this resolution shall expire.

The motion for the adoption of the foregoing resolution was duly seconded by Council member Pelzel, and upon vote being taken thereon, the following voted in favor thereof: Windschitl, Stevermer, Pelzel, Schmidt, and Braun.

and the following voted against the same: None

Whereupon said resolution was declared duly passed and adopted.

Wayne Pelzel, Mayor

ATTEST:

Bob Elston, City Manager

CITY OF SLEEPY EYE
COUNTY OF BROWN
STATE OF MINNESOTA

RESOLUTION 4-2020

RESOLUTION ESTABLISHING DEBT MANAGEMENT POLICY

WHEREAS, debt management is an integral part of financial management of the City; and

WHEREAS, debt is a mechanism which is necessary to ensure capital improvements proceed and city infrastructure and equipment are properly maintained; and

WHEREAS, specific provisions and guidelines are necessary to facilitate and manage debt resources; and

WHEREAS, the City Council has determined it necessary to adopt a formal policy with guidelines on how it manages and facilitates debt;

NOW, THEREFORE BE IT RESOLVED THAT the City of Sleepy Eye does hereby approve the Debt Management Policy as identified in Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Sleepy Eye, Minnesota this 11th day of February, 2020.

Wayne Pelzel, Mayor

ATTEST:

Bob Elston, City Manager



EXHIBIT A DEBT MANAGEMENT POLICY

PURPOSE

The issuance of debt is an important and flexible revenue source available to the City of Sleepy Eye. The issuance of debt is a mechanism which allows capital improvements to proceed when necessary and in advance of when it may otherwise be feasible. Borrowing can reduce long-term costs due to inflation, prevent lost opportunities, and equalize the costs of improvements to present and future property owners and customers of the City.

Debt management is an integral part of the financial management of the City of Sleepy Eye. Adequate financial resources must be provided for the repayment of debt, and the level of debt incurred by the City must be effectively controlled to amounts within levels that will maintain the City's credit rating. A goal of debt management is to stabilize the overall debt burden and future tax levy requirements to ensure that debt is repaid timely.

POLICY STATEMENT

Fiscally prudent and managed use of debt provides financial and operating advantages. Extensive use of debt places a burden on the fiscal resources of the City and its taxpayers. The following guidelines provide a framework and limit on debt utilization:

1. The City will restrict long-term borrowing to planned capital improvements, as identified in the City's capital improvement plan.
2. The City will not use long-term debt for current operations unless in an emergency situation.
3. The City will limit borrowing for equipment and capital projects which are over \$50,000 in value.
4. The City will pay back debt within the expected useful life of the capital asset.
5. The City will maintain communications with bond rating agencies regarding its financial condition including full disclosure in every financial report and bond disclosure document.
6. When feasible the City will use refunding mechanisms to reduce interest cost and evaluate the use of debt reserves to lower overall annual debt service where possible.
7. The City Manager in consultation with the City's Financial Advisor shall prepare and file annual continuing disclosure reports.
8. During the annual budget process, all debt will be reviewed to ensure that the overall debt burden is manageable and repayments are fully budgeted.
9. All debt shall be reviewed at least annually by the City Manager in consultation with the City's Financial Advisor for refunding or refinancing opportunities.

RESOLUTION 5-2020
Authorizing updated signatory on investment account

WHEREAS, the City Council appointed Russell Elston to fill the position of City Manager on August 28, 2019.

WHEREAS, the City Council in the meeting dated January 14, 2020 granted permission for the City Manager and City Clerk to invest City Funds, and

WHEREAS, The City Manager is not currently a signatory on an investment account with CCF Bank

NOW THEREFORE BE IT RESOLVED, that the City Council approves and requests the adding of Russell Elston, City Manager, as signatory to any and all investment accounts with CCF bank.

Dated February 11, 2020

Wayne Pelzel, Mayor

ATTEST: _____
Michelle Strate, City Clerk

RESOLUTION 6-2020

RESOLUTION AUTHORIZING GOVERNMENTAL UNIT TO BE A PARTY TO MINNESOTA WATER AGENCY RESPONSE NETWORK (MnWARN)

WHEREAS, Minnesota Statutes, Section 471.59 authorizes governmental units by agreement of their governing bodies to jointly or cooperatively exercise any power common to them;

WHEREAS, MnWARN has been established by the adoption of a Mutual Aid Agreement (the Agreement) among Governmental Units to allow their water, wastewater and storm water utilities to assist each other in case of an emergency;

WHEREAS, the Agreement allows other governmental units to become a party to the Agreement by the adoption of this Resolution and sending notice to the Secretary of the Statewide Committee for MnWARN; and

WHEREAS, the governing body of the City of Sleepy Eye considers it to be in the best interest of the City to be a party to the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City Council:

1. Authorizes the Mayor and Clerk-Administrator-Treasurer to sign this resolution evidencing the intent of the City of Sleepy Eye to be a party to MnWARN; and
2. Clerk-Administrator-Treasurer is directed to send a certified copy of this resolution and a completed membership information form to the Secretary of the Statewide Committee of MnWARN; and
3. Sleepy Eye agrees to comply with all terms of the Agreement.

IN WITNESS WHEREOF, The City of Sleepy Eye by action of its governing body caused this Resolution to be approved on February 11, 2020

By: _____

Its Mayor

And: _____

Its Clerk-Administrator-Treasurer

MAIL TO:
Secretary of Statewide Committee
MnWARN
217 12th Avenue SE
Elbow Lake, MN 56531

THIS CHANGED TO AN ORDINANCE

RESOLUTION 7-2020

RESOLUTION AMENDING THE CABLE FRANCHISE ORDINANCE

Whereas, New Ulm Telecom Inc. (“Grantee”) holds a cable communications franchise (“Franchise”) for the construction and operation of a cable communications system for the City of Sleepy Eye, Minnesota (“Grantor”); and

Whereas, Grantor and Grantee have mutually agreed to amend the Franchise and to extend the term thereof by adopting this Resolution.

NOW THEREFORE, BE IT RESOLVED THAT THE City of Sleepy Eye hereby amends the Franchise as follows:

1. New Ulm Telecom Inc. is now Nuvera Communications, Inc. and the name of the Grantee is officially changed to Nuvera Communications, Inc. throughout as the holder of the Franchise.
2. The term of the Franchise is amended to expire on December 31, 2031.
3. Except as expressly modified herein, all other terms and conditions of the Franchise shall remain in full force and effect. The parties agree to proceed with renewal pursuant to applicable law and neither party waives any rights it may have pursuant to applicable law.
4. This Resolution shall be effective upon its passage and publication in accordance with applicable law and its written acceptance by Grantee.

Adopted by the City Council of the City of Sleepy Eye, Minnesota, this 10th day of March, 2020.

City Manager

ATTEST:

City Clerk

GRANTEE ACCEPTANCE

The Resolution is accepted, and Grantee agrees to be bound by its terms and conditions.

NUVERA COMMUNICATIONS, INC.

By: _____

Its: _____

Dated: _____

RESOLUTION 8-2020

RESOLUTION APPROVING LRIP GRANT TERMS AND CONDITIONS

SAP 008-594-002

MnDOT AGREEMENT NO. 1036095

WHEREAS, the City of Sleepy Eye (via Brown County Sponsor) has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation fund for Local Road Improvement and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available and

WHEREAS, the amount of the grant has been determined to be \$750,000 by reason of lowest responsible bid;

NOW THEREFORE, be it resolved that the City of Sleepy Eye (via Brown County Sponsor) does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52 and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the new roadway but not requires. The proper City officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above referenced grant.

Adopted by the City Council of the City of Sleepy Eye, Minnesota, this 10th day of March 2020

City Manager

ATTEST:

City Clerk

RESOLUTION 9-2020

**RESOLUTION REGARDING MAINTENANCE AND IMPROVEMENT OF THE
QUALITY OF SLEEPY EYE LAKE**

Be it resolved, that the City Council for the City of Sleepy Eye (hereinafter City), hereby supports the continued efforts to maintain and improve the quality of Sleepy Eye Lake now and in the future. The City recognizes the value that the Sleepy Eye Lake brings to the community of Sleepy Eye. Recent efforts to maintain the quality of Sleepy Eye Lake have led to the removal of the lake from the impaired waters list. The City, with the support of local residents, wish to continue those efforts to maintain and improve the quality of Sleepy Eye Lake.

I certify that the above resolution was adopted by the City Council of the City of Sleepy Eye on March 10th, 2020.

Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Resolution on March 10th, 2020, in accordance with the Charter Provisions and state laws provided therefore.

Dated: _____

Michelle Strate, City Clerk

State of Minnesota)
)ss.
County of Brown)

This instrument was acknowledged before me on _____, 2020, by Wayne Pelzel, as Mayor and by Michelle Strate, as City Clerk of the City of Sleepy Eye, a Municipal Corporation.

Notary Public

RESOLUTION # 10-2020

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.

April 14, 2020
Date

Mayor

Attest:

City Clerk

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.

May 12, 2020
Date

Mayor

Attest:

City Clerk

Extract of Minutes of Meeting
of the City Council of the City of
Sleepy Eye, Brown County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Sleepy Eye, Minnesota, was duly held by telephonic or other remote means, pursuant to Minnesota Statutes, Section 13D.021, on May 12, 2020, commencing at 7:00 P.M.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was consideration of the proposal received from Northland Securities, Inc., that had been submitted to the City at the direction of the City Council for the purchase of the City's \$6,105,000 General Obligation Refunding Bonds, Series 2020A.

After due consideration of the proposal, Member _____ then introduced the following written resolution, the reading of which was dispensed with by unanimous consent, and moved its adoption:

RESOLUTION NO. 13-2020

**RESOLUTION AWARDING THE SALE OF \$6,105,000
GENERAL OBLIGATION REFUNDING BONDS,
SERIES 2020A;
FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT**

BE IT RESOLVED By the City Council (the “Council”) of the City of Sleepy Eye, Minnesota (the “City”) as follows:

Section 1. Sale of Bonds.

1.01. Refunded Bonds. The City is authorized by Minnesota Statutes, Chapter 475, as amended (the “Act”), and specifically Section 475.67 of the Act to issue and sell its general obligation bonds to refund outstanding bonds if consistent with covenants made with the holders thereof and when determined by this Council to be necessary and desirable for the reduction of debt service costs. Therefore, by this Resolution, this Council intends to issue a general obligation bond to refund the following obligations, pursuant to the Act:

(i) \$4,265,000 General Obligation Hospital Revenue Refunding Bonds, Series 2012A, dated as of April 1, 2012, of which \$3,150,000 in principal amount is currently outstanding and was callable on January 15, 2020 (the “Series 2012A Bonds”). Proceeds of the Series 2012A Bonds were used to current refund the City’s \$4,500,000 General Obligation Hospital Revenue Bond of 2004, which obligation funded improvements to the City-owned Sleepy Eye Medical Center (the “Hospital”).

(ii) \$2,700,000 General Obligation Improvement Bonds, Series 2012B, dated as of July 1, 2012, of which \$1,545,000 in principal amount is currently outstanding and was callable on December 1, 2018 (the “Series 2012B Bonds”). Proceeds of the Series 2012B Bonds were used to finance the City’s 2012 street and utility projects.

(iii) \$1,415,000 General Obligation Improvement Bonds, Series 2012C, dated as of October 1, 2012, of which \$1,190,000 in principal amount is currently outstanding and was callable on February 1, 2019 (the “Series 2012C Bonds”). Proceeds of the Series 2012C Bonds were used to finance the extension of sanitary sewer, water and storm sewer services to the Snow Farm portion of the City.

(iv) \$915,000 General Obligation Improvement and Refunding Bonds, Series 2012D, dated as of November 1, 2012, of which \$320,000 in principal amount is currently outstanding and callable on January 25, 2011 (the “Series 2012D Bonds”). Proceeds of the Series 2012D Bonds were used to current refund the City’s \$1,870,000 General Obligation Improvement Bonds, Series 2007C, and to pay the costs of road improvements within the City. The Series 2012A Bonds, the Series 2012B Bonds, the Series 2012C Bonds, and the Series 2012D Bonds are collectively referred to herein as the “Refunded Bonds.” The Series 2012B Bonds, the Series 2012C Bonds, and the Series 2012D Bonds are collectively referred to herein as the “Refunded Improvement Bonds.” The various improvements financed by the Series 2012B Bonds, the Series 2012C Bonds, and the Series 2012D Bonds are collectively referred to herein as the “Improvements.”

1.02. Authorizing Resolution. At its regular meeting on September 10, 2019, this Council adopted a resolution expressing its intent to issue general obligation bonds to refund the Series 2012A

Bonds. Since that meeting, this Council has additionally identified the Series 2012B Bonds, the Series 2012C Bonds, and the Series 2012D Bonds as eligible for refinancing.

1.03. Issuance of the Refunding Bonds. It is necessary and desirable for the reduction of debt service cost to the City for the City to issue its General Obligation Refunding Bonds, Series 2020A, in the total aggregate principal amount of \$6,105,000 (the “Bonds”) pursuant to the Act to refinance the Refunded Bonds.

Section 2. Sale of Bonds.

2.01. Award to the Purchaser and Interest Rates. The proposal of Northland Securities, Inc. (the “Purchaser”) to purchase the Bonds is found and determined to be a reasonable offer and is accepted, the proposal being to purchase the Bonds at a price of \$6,296,720.30 (par amount of \$6,105,000.00, plus original issue premium of \$295,505.30, less underwriter’s discount of \$103,785.00), for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2021	4.000%	2028	4.000%
2022	4.000	2031	2.100
2023	1.400	2032	2.200
2024	4.000	2033	2.300
2025	4.000	2034	2.350
2026	4.000	2035	2.400
2027	4.000	2036	2.450

Term Bonds due August 1, 2030 at 2.000%.

Term Bonds due August 1, 2040 at 2.650%.

2.02. Purchase Contract. The Mayor and the City Manager are directed to execute a contract with the Purchaser on behalf of the City.

2.03. Terms and Principal Amounts of Bonds. The City will forthwith issue and sell the Bonds to the Purchaser pursuant to the Act in the total principal amount of \$6,105,000. The Bonds will be originally dated as of June 4, 2020, in minimum denominations of \$5,000, numbered No. R-1 upward, bearing interest as above set forth and maturing on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$435,000	2028	\$420,000
2022	405,000	2031	295,000
2023	430,000	2032	295,000
2024	435,000	2033	305,000
2025	435,000	2034	310,000
2026	445,000	2035	320,000
2027	405,000	2036	240,000

Term Bonds due February 1, 2030, in the aggregate principal amount of \$555,000.

Term Bonds due February 1, 2040, in the aggregate principal amount of \$375,000.

\$3,135,000 of the Bonds (the “Revenue Refunding Portion”) maturing in the amounts and in the years set forth below (without reference to Term Bonds) are being issued to refund the outstanding principal balance of the Series 2012A Bonds:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$185,000	2029	\$205,000
2022	160,000	2030	210,000
2023	170,000	2031	220,000
2024	175,000	2032	220,000
2025	175,000	2033	225,000
2026	185,000	2034	230,000
2027	190,000	2035	235,000
2028	200,000	2036	150,000

\$2,970,000 of the Bonds (the “Improvement Refunding Portion”) maturing in the amounts and in the years set forth below (without reference to Term Bonds) are being issued to refund the outstanding aggregate principal balances of the Series 2012B Bonds, the Series 2012C Bonds, and the Series 2012D Bonds:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$250,000	2031	\$75,000
2022	245,000	2032	75,000
2023	260,000	2033	80,000
2024	260,000	2034	80,000
2025	260,000	2035	85,000
2026	260,000	2036	90,000
2027	215,000	2037	90,000
2028	220,000	2038	95,000
2029	70,000	2039	95,000
2030	70,000	2040	95,000

2.04. Optional Redemption. The City may elect on February 1, 2028, and on any day thereafter to prepay Bonds maturing on or after February 1, 2029. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (defined herein) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

2.05. Mandatory Redemption. The portion of the Bonds consisting of Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part by lot at par plus accrued interest on the sinking fund installment dates and in the principal amounts as follows:

<u>Sinking Fund Installment Date</u>	<u>Principal Amount</u>
February 1, <u>2030 Term Bonds</u> 2029	\$275,000

2030 (maturity)	280,000
February 1, <u>2040 Term Bonds</u>	
2037	\$90,000
2038	95,000
2039	95,000
2040 (maturity)	95,000

Section 3. Registration and Payment.

3.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and the principal amount thereof is payable by check or draft issued by the Registrar described herein.

3.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing August 1, 2020, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not that day is a business day.

3.03. Registration. The City appoints the City Manager as the bond registrar, transfer agent, authenticating agent and paying agent for the Bonds (the “Registrar”). The City reserves the right at any time to appoint a third-party Registrar. The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its office a bond register in which the Registrar provides for the registration of ownership of the Bonds and the registration of transfers of the Bonds entitled to be registered or transferred.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, a new Bond of a like principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the first day (whether or not a business day) of the calendar month of such interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. The Bond surrendered upon transfer will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes and payments so made to registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer of a Bond, sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer.

(h) Mutilated, Lost, Stolen or Destroyed Bond. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for a Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. The Bond so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) not more than 60 and not less than 30 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

3.04. Appointment of Initial Registrar. The City appoints Northland Trust Services Inc., Minneapolis, Minnesota, as the initial Registrar for the Bonds. The Mayor and the City Manager are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation will be authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the

services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar will deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Manager will transmit to the Registrar money sufficient for the payment of all principal and interest then due on the Bonds.

3.05. Temporary Bond. The City may elect to deliver in lieu of a printed definitive Bond a typewritten temporary Bond in substantially the form set forth in Section 4 hereof. Upon the execution and delivery of the definitive Bond the temporary Bond will be exchanged therefor and cancelled.

Section 4. Form of Bond.

4.01. Form. Each Bond will be printed or typewritten in substantially the form as provided on the attached Exhibit A.

4.02. Approving Legal Opinion. The City Manager is directed to obtain a copy of the proposed approving legal opinion of Best & Flanagan LLP, Minneapolis, Minnesota, Bond Counsel to the City, which is to be complete except as to dating thereof and to cause the opinion to be printed on or accompany each Bond.

Section 5. Payment; Security; Pledges and Covenants.

5.01. Debt Service Fund. The Bonds are payable from the General Obligation Refunding Bonds, Series 2020A Debt Service Fund (the "Debt Service Fund") created hereby. The Debt Service Fund shall be administered and maintained by the City Manager as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The City will maintain the following accounts in the Debt Service Fund: the "Revenue Refunding Account" and the "Improvement Refunding Account." Amounts in the Revenue Refunding Account are irrevocably pledged to the Revenue Refunding Portion of the Bonds and amounts in the Improvement Refunding Account are irrevocably pledged to the Improvement Refunding Portion of the Bonds.

(a) *Revenue Refunding Account*. The City will continue to operate its Hospital Facilities Fund (or such other named but equivalent fund that may be used by the City), to which will be credited all gross revenues of the Hospital and out of which will be paid all normal and reasonable expenses of current operations of the Hospital. Any balance therein is deemed to be net revenues and will be transferred, from time to time, to the Revenue Refunding Account of the Debt Service Fund, which fund will be used only to pay principal of and interest on the Revenue Refunding Portion of the Bonds and any other bonds similarly authorized. The debt service fund heretofore established for the Series 2012A Bonds, as defined in the resolution providing for the issuance and sale of the Series 2012A Bonds (the "Series 2012A Resolution"), is terminated, and all money therein is to be transferred to the Revenue Refunding Account of the Debt Service Fund. If any payment of principal or interest on the Revenue Refunding Portion of the Bonds becomes due when there is not sufficient money in the Revenue Refunding Account of the Debt Service Fund to pay the same, the City Manager is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for such advances out of net revenues of the Hospital when collected.

(b) *Improvement Refunding Account*. The City Manager shall timely deposit in the Improvement Refunding Account of the Debt Service Fund special assessments levied for the improvements financed by the Series 2012B Bonds, the Series 2012C Bonds, and the Series 2012D

Bonds (the “Assessments”) and ad valorem taxes hereafter levied (the “Taxes”) and allocable to the payment of debt service on the Improvement Refunding Portion of the Bonds, which are in the aggregate pledged to the Improvement Refunding Account of the Debt Service Fund. The debt service funds heretofore established for the Series 2012B Bonds, the Series 2012C Bonds, and the Series 2012D Bonds, as defined in each of the resolutions providing for the issuance and sale of said Bonds (collectively, the “Prior Improvement Resolutions”), are terminated, and all money therein is to be transferred to the Improvement Refunding Account of the Debt Service Fund, except for Assessments and Taxes collected by said debt service funds during calendar year 2020 and used to pay the August 1, 2020 interest payment and the February 1, 2021 principal and interest payment on the Improvement Refunding Portion of the Bonds. If any payment of principal or interest on the Improvement Refunding Portion of the Bonds becomes due when there is not sufficient money in the Improvement Refunding Account of the Debt Service Fund to pay the same, the City Manager is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for such advances out of Assessments and the Taxes (hereafter defined) when collected.

5.02. Current Refunding Fund. The proceeds of the Bonds will be deposited in a separate current refunding fund (the “Current Refunding Fund”) to be used to refund the Refunded Bonds. Any balance remaining in the Current Refunding Fund after completion of the refunding of the Refunded Bonds shall be deposited in allocable amounts to the Revenue Refunding Account and the Improvement Refunding Account of the Debt Service Fund.

5.03. Cancellation of Prior Levies; Improvement Refunding Portion. It is determined that upon the receipt of proceeds of the Improvement Refunding Portion of the Bonds (the “Proceeds”) for payment of the Refunded Improvement Bonds, that an irrevocable appropriation to the debt service funds for each of the Refunded Improvement Bonds will have been made within the meaning of Section 475.61, Subdivision 3 of the Act, and the City Manager is authorized and directed to certify such fact and request the Brown County Auditor/Treasurer to cancel any and all tax levies made by the Prior Improvement Resolutions.

5.04. Pledge of Taxes; Improvement Refunding Portion. It is determined that at least 20% of the costs of the improvements financed by the Refunded Improvement Bonds have been specially assessed against benefited property. For the purpose of paying the principal of and interest on the Improvement Refunding Portion of the Bonds, there is levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the City, to be spread upon the tax rolls and collected with and as part of other general taxes of the City. The Taxes will be credited to the Improvement Refunding Account of the Debt Service Fund above provided and are in the years and amounts as established on Exhibit B attached hereto.

5.05. Certifications as to Debt Service Fund Amounts.

(a) *Revenue Refunding Portion.* It is determined that the estimated collection of net revenues of the Hospital for the payment of principal and interest on the Revenue Refunding Portion of the Bonds will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Revenue Refunding Portion of the Bonds, and no tax levy for such portion is needed at this time.

(b) *Improvement Refunding Portion.* It is determined that the estimated collection of the foregoing Taxes and Assessments will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levy herein

provided will be irrevocable until the Improvement Refunding Portion of the Bonds are paid, provided that at the time the City makes its annual tax levies the City Manager may certify to the Brown County Auditor/Treasurer the amount available in the Improvement Refunding Account of the Debt Service Fund to pay principal and interest due during the ensuing year, and the County Auditor/Treasurer will thereupon reduce the levy collectible during such year by the amount so certified.

5.06. County Auditor/Treasurer's Certificate as to Registration. The City Manager is authorized and directed to file a certified copy of this Resolution with the Brown County Auditor/Treasurer and to obtain the certificate required by Section 475.63 of the Act.

5.07. Revenue Refunding Portion Covenants. This Council covenants and agrees with the holders of the Bonds that so long as any of the Revenue Refunding Portion of the Bonds remains outstanding and unpaid, it will keep and enforce the following covenants and agreements:

(a) *Operation of and Revenues from the Hospital.* The City will continue to maintain and efficiently operate the Hospital and will cause all revenues therefrom to be deposited in bank accounts and credited to the Hospital Facilities Fund as hereinabove provided, and will make no expenditures from those accounts except for a duly authorized purpose and in accordance with this Resolution.

(b) *Maintenance of the Revenue Refunding Account as a Separate Account.* The City will maintain the Revenue Refunding Account of the Debt Service Fund as a separate account under the Hospital Facilities Fund and will cause money to be credited thereto from time to time, out of net revenues from the Hospital in sums sufficient to pay principal of and interest on the Revenue Refunding Portion of the Bonds when due.

(c) *Maintenance of Proper and Adequate Books of Record and Accounts.* The City will keep and maintain proper and adequate books of records and accounts separate from all other records of the City in which will be complete and correct entries as to all transactions relating to the Hospital and which will be open to inspection and copying by any bondholder, or the bondholder's agent or attorney, at any reasonable time, and it will furnish certified transcripts therefrom upon request and upon payment of a reasonable fee therefor, and said account will be audited at least annually by a qualified public accountant and statements of such audit and report will be furnished to all bondholders upon request.

(d) *Persons Handling Revenues and Banks Receiving Deposits.* This Council will cause persons handling revenues of the Hospital to be bonded in reasonable amounts for the protection of the City and the bondholders and will cause the funds collected on account of the operations of the Hospital to be deposited in a bank whose deposits are guaranteed under the Federal Deposit Insurance Law.

(e) *Insurance.* This Council will keep the Hospital insured at all times against loss by fire, tornado and other risks customarily insured against with an insurer or insurers in good standing, in such amounts as are customary for like facilities, to protect the holders, from time to time, of the Revenue Refunding Portion of the Bonds and the City from any loss due to any such casualty and will apply the proceeds of such insurance to make good any such loss.

(f) *Performance of Duties.* The City and each and all of its officers will punctually perform all duties with reference to the Hospital as required by law.

(g) *Payment of Deficiencies, if Any.* This Council will levy general ad valorem taxes on all taxable property in the City, which taxes are not subject to any limitation as to rate or amount, when required, to meet any deficiency in net revenues pledged for payment of the Revenue Refunding Portion of the Bonds.

(h) *Series 2012A Resolution Pledges.* The pledges and covenants of the City made in the Series 2012A Resolution relating to the ownership, protection of and other particulars governing the operation and financial management of the Hospital are restated and confirmed in all respects. The provisions of the Series 2012A Resolution are hereby supplemented to the extent necessary to give full effect to the provisions of this Resolution.

5.08. Prior Improvement Resolution Covenants. The pledges and covenants of the City made in the Prior Improvement Resolutions relating to the levy of Assessments and Taxes, the construction of the various improvements to be made and financed pursuant to the Prior Improvement Resolutions, and the keeping of accurate books and records of said improvements, are restated and confirmed in all respects. The provisions of the Prior Improvement Resolutions are hereby supplemented to the extent necessary to give full effect to the provisions of this Resolution.

Section 6. Refunding; Findings; Redemption of Refunded Bonds.

6.01. Refunded Bonds. The Refunded Bonds are as described in Section 1.01 hereof. It is found and determined that based upon information presently available from the City's financial advisers, the issuance of the Bonds is consistent with covenants made with the holders of the Refunded Bonds and is necessary and desirable for the reduction of debt service costs to the City.

6.02. Prepayment of Refunded Bonds. It is found and determined that the proceeds of the Bonds to be deposited into the Current Refunding Fund, together with amounts available in the debt service funds for each of the Refunded Bonds, will be sufficient to prepay all of the principal of and interest on the Refunded Bonds.

6.03. Notices of Redemption. The Refunded Bonds will be redeemed and prepaid on June 4, 2020. The Refunded Bonds will be redeemed and prepaid in accordance with their terms and in accordance with the terms and conditions set forth in the forms of Notices of Call for Redemption attached hereto as EXHIBIT C, which terms and conditions are approved and incorporated herein by reference. The Registrars for the Refunded Bonds are authorized and directed to send a copy of the Notice of Redemption to each registered holder of the Refunded Bonds.

Section 7. Authentication of Transcript; Bond Insurance Policy.

7.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, may be deemed representations of the City as to the facts stated therein.

7.02. Certification as to Official Statement. The Mayor and the City Manager are hereby authorized and directed to certify that they have examined the Official Statement, prepared and circulated

in connection with the issuance and sale of the Bonds, and that to the best of their knowledge and belief the Official Statement is, as of the date thereof, a complete and accurate representation of the facts and representations made therein as it relates to the City.

7.03. Bond Insurance Policy. Municipal Assurance Corp. (“MAC”), New York, New York, will deliver its municipal bond insurance policy (the “Policy”) with respect to the scheduled payments due of principal of and interest on the Bonds to the Registrar, as paying agent for the Bonds (the “Paying Agent”). Said Policy is on file and available for inspection at the principal office of the Paying Agent and a copy thereof may be obtained from MAC or the Paying Agent. All payments required to be made under the Policy shall be made in accordance with the provisions thereof. The Purchaser and any successor owner(s) of the Bonds shall acknowledge and consent to the subrogation rights of MAC as more fully set forth in the Policy.

Section 8. Tax Covenants.

8.01. Tax-Exempt Bonds. The City covenants and agrees with the Purchaser that it will not take or permit to be taken by any of its officers, employees, or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the “Code”), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds. To that end, the City will comply with all requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments and limitations on amount invested at a yield greater than the yield on the Bonds.

8.02. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be “private activity bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

8.03. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

- (a) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;
- (b) the City deems the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code, as follows:
 - (i) the principal amount of the Bonds (\$6,105,000) does not exceed the outstanding aggregate amount of the Refunded Bonds (\$6,205,000);
 - (ii) the average maturity date of the Bonds (7.937 years) does not exceed the remaining average maturity date of the Refunded Bonds (_____ years); and
 - (iii) the Bonds have a maturity date (February 1, 2040) which is not later than the date which is 30 years after the date the first of the Refunded Bonds were issued (April 1, 2012).

8.04. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this Section.

Section 9. Book-Entry System; Limited Obligation of City.

9.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 2.03 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). Except as provided in this Section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

9.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City’s obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this Resolution. Upon delivery by DTC to the City Administrator of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words “Cede & Co.,” will refer to such new nominee of DTC; and upon receipt of such a notice, the City Administrator will promptly deliver a copy of the same to the Registrar and Paying Agent.

9.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the “Representation Letter”) which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

9.04. Transfers Outside Book-Entry System. In the event the City, by resolution of this Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange

Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

9.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds will be made and given, respectively, in the manner provided in DTC's Operational Arrangements as set forth in the Representation Letter.

Section 10. Continuing Disclosure.

10.01. Execution of Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and the City Manager and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

10.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate will not be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

Section 11. Defeasance. When all Bonds and all interest thereon have been discharged as provided in this Section, all pledges, covenants and other rights granted by this Resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

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Passed and adopted by the City Council of the City of Sleepy Eye, Minnesota, this 12th day of May, 2020.

CITY OF SLEEPY EYE, MINNESOTA

Wayne Pelzel, Mayor

ATTEST:

Bob Elston, City Manager

The motion for the adoption of the foregoing resolution was duly seconded by Member _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF BROWN) SS.
)
CITY OF SLEEPY EYE)

I, the undersigned, being the duly qualified and acting City Manager of the City of Sleepy Eye, Brown County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on May 12, 2020 with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of the City's General Obligation Refunding Bonds, Series 2020A, in the original aggregate principal amount of \$6,105,000.

WITNESS My hand officially as such City Manager and the corporate seal of the City this _____ day of _____, 2020.

(SEAL)

City Manager
City of Sleepy Eye, Minnesota

EXHIBIT A
FORM OF BOND

No. R-__

\$_____

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF BROWN
CITY OF SLEEPY EYE

GENERAL OBLIGATION REFUNDING BOND
SERIES 2020A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1, 20__	June 4, 2020	831270 __

Registered Owner: Cede & Co.

The City of Sleepy Eye, Minnesota, a duly organized and existing home-rule charter city and political subdivision located in Brown County, Minnesota (the "City"), acknowledges itself to be indebted and for value received promises to pay to the Registered Owner specified above, or registered assigns, the principal sum of \$ _____ on the maturity date specified above, with interest on such sum payable February 1 and August 1 in each year, commencing August 1, 2020, to the person in whose name this Bond is registered at the close of business on the first day (whether or not a business day) of the calendar month of such interest payment date. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Northland Trust Services, Inc., Minneapolis, Minnesota, as Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2028, and on any date thereafter to prepay Bonds due on or after February 1, 2029. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify Depository Trust Company, New York, New York ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

The City Council of the City has deemed the issue of Bonds of which this Bond forms a part as "qualified tax exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

This Bond is one of an issue in the aggregate principal amount of \$6,105,000, all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued

pursuant to a resolution adopted by the City Council of the City on May 12, 2020 (the “Resolution”), for the purpose of providing money to refund the outstanding principal amount of certain general obligation bonds of the City, pursuant to and in full conformity with the home rule charter of the City and the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapter 475, as amended, and the principal hereof and interest hereon are payable from net revenues derived from the operation of the City-owned Sleepy Eye Medical Center, special assessments levied against property specially benefited by various local improvements, and from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council of the City has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in taxes pledged, which taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in the denominations of \$5,000 or any integral multiple thereof of single maturities.

The Bonds of this series consisting of Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part by lot at par plus accrued interest on the sinking fund installment dates and in the principal amounts as follows:

<u>Sinking Fund Installment Date</u>	<u>Principal Amount</u>
February 1, <u>2030 Term Bonds</u>	
2029	\$275,000
2030 (maturity)	280,000
February 1, <u>2040 Term Bonds</u>	
2037	\$90,000
2038	95,000
2039	95,000
2040 (maturity)	95,000

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by the owner’s attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner’s attorney. Upon such transfer the City will cause a new Bond to be issued in the name of the transferee or registered owner, of the same principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar will be affected by any notice to the contrary.

Municipal Assurance Corp. (“MAC”), New York, New York, will deliver its municipal bond insurance policy (the “Policy”) with respect to the scheduled payments due of principal of and interest on the Bonds to the Registrar, as paying agent for the Bonds (the “Paying Agent”). Said Policy is on file and available for inspection at the principal office of the Paying Agent and a copy thereof may be obtained from MAC or the Paying Agent. All payments required to be made under the Policy shall be made in accordance

with the provisions thereof. The owner of this Bond acknowledges and consents to the subrogation rights of MAC as more fully set forth in the Policy.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the home rule charter of the City and the Constitution and laws of the State of Minnesota, to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional, statutory or charter limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Sleepy Eye, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and the City Manager and has caused this Bond to be dated as of the date set forth below.

Dated: _____

CITY OF SLEEPY EYE, MINNESOTA

City Manager

Mayor

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

NORTHLAND TRUST SERVICES, INC.

By _____
Authorized Representative

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common UNIF GIFT MIN ACT _____ Custodian _____ (Cust) (Minor)

TEN ENT -- as tenants by entireties under Uniform Gifts or Transfers to Minors

JT TEN -- as joint tenants with right of survivorship and not as tenants in common Act (State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STEMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address:

(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

EXHIBIT B

TAX LEVY SCHEDULE

<u>YEAR *</u>	<u>TAX LEVY</u>
2020	\$290,108.98
2021	308,787.34
2022	314,247.31
2023	337,490.64
2024	326,570.65
2025	315,650.65
2026	257,480.63
2027	253,700.64
2028	86,960.66
2029	85,490.63
2030	89,270.65
2031	87,616.90
2032	91,134.39
2033	89,202.39
2034	92,478.40
2035	95,586.39
2036	93,271.16
2037	96,016.89
2038	93,373.53
2039	90,730.14

** Year tax levy collected.*

EXHIBIT C

FORMS OF NOTICES OF CALL FOR REDEMPTION

\$4,265,000
GENERAL OBLIGATION HOSPITAL REVENUE REFUNDING BONDS
SERIES 2012A
CITY OF SLEEPY EYE, MINNESOTA

NOTICE IS HEREBY GIVEN That, by order of the City Council of the City of Sleepy Eye, Minnesota, there have been called for redemption and prepayment on

June 4, 2020

all outstanding bonds of the City designated as General Obligation Hospital Revenue Refunding Bonds, dated April 1, 2012, having stated maturity dates of January 15 in the years 2021 through 2037, both inclusive, totaling \$3,150,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2021	\$145,000	831270 QY2
2023*	305,000	831270 QZ9
2025*	320,000	831270 RA3
2027*	335,000	831270 RB1
2029*	355,000	831270 RC9
2031*	380,000	831270 RD7
2033*	405,000	831270 RE5
2035*	435,000	831270 RF2
2037*	470,000	831270 RG0

* Term Bonds

The bonds are being called at a price of par plus accrued interest to June 4, 2020, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Northland Trust Services, Inc., in the City of Minneapolis, Minnesota, on or before June 4, 2020.

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

The Registrar will not be responsible for the selection or use of the CUSIP number, nor is any representation made as to the correctness indicated in the Redemption Notice or on any Bond. It is included solely for convenience of the Holders.

Additional information may be obtained from:

Northland Trust Services, Inc.
150 South 5th Street, Suite 3300
Minneapolis, MN 55402

Dated: May 12, 2020.

BY ORDER OF THE CITY COUNCIL

By /s/ Bob Elston
City Manager
City of Sleepy Eye, Minnesota

\$2,700,000
GENERAL OBLIGATION IMPROVEMENT BONDS
SERIES 2012B
CITY OF SLEEPY EYE, MINNESOTA

NOTICE IS HEREBY GIVEN That, by order of the City Council of the City of Sleepy Eye, Minnesota, there have been called for redemption and prepayment on

June 4, 2020

all outstanding bonds of the City designated as General Obligation Improvement Bonds, dated July 1, 2012, having stated maturity dates of December 1 in the years 2020 through 2027, both inclusive, totaling \$1,545,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2020	\$180,000	831270 RQ8
2021	180,000	831270 RR6
2022	185,000	831270 RS4
2023	190,000	831270 RT2
2024	195,000	831270 RU9
2025	200,000	831270 RV7
2026	205,000	831270 RW5
2027	210,000	831270 RX3

The bonds are being called at a price of par plus accrued interest to June 4, 2020, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Northland Trust Services, Inc., in the City of Minneapolis, Minnesota, on or before June 4, 2020.

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

The Registrar will not be responsible for the selection or use of the CUSIP number, nor is any representation made as to the correctness indicated in the Redemption Notice or on any Bond. It is included solely for convenience of the Holders.

Additional information may be obtained from:

Northland Trust Services, Inc.
150 South 5th Street, Suite 3300
Minneapolis, MN 55402

Dated: May 12, 2020.

BY ORDER OF THE CITY COUNCIL

By /s/ Bob Elston
City Manager
City of Sleepy Eye, Minnesota

\$1,415,000
GENERAL OBLIGATION IMPROVEMENT BONDS
SERIES 2012C
CITY OF SLEEPY EYE, MINNESOTA

NOTICE IS HEREBY GIVEN That, by order of the City Council of the City of Sleepy Eye, Minnesota, there have been called for redemption and prepayment on

June 4, 2020

all outstanding bonds of the City designated as General Obligation Improvement Bonds, dated October 1, 2012, having stated maturity dates of February 1 in the years 2021 through 2040, both inclusive, totaling \$1,190,000 in principal amount, and with the following CUSIP numbers:

Year of Maturity	Amount	CUSIP Number
2021*	\$45,000	831270 RQ8
2024*	145,000	831270 RR6
2027*	150,000	831270 RS4
2030*	165,000	831270 RT2
2033*	185,000	831270 RU9
2036*	200,000	831270 RV7
2040*	300,000	831270 RW5

*Term bonds.

The bonds are being called at a price of par plus accrued interest to June 4, 2020, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Northland Trust Services, Inc., in the City of Minneapolis, Minnesota, on or before June 4, 2020.

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

The Registrar will not be responsible for the selection or use of the CUSIP number, nor is any representation made as to the correctness indicated in the Redemption Notice or on any Bond. It is included solely for convenience of the Holders.

Additional information may be obtained from:

Northland Trust Services, Inc.
150 South 5th Street, Suite 3300
Minneapolis, MN 55402

Dated: May 12, 2020.

BY ORDER OF THE CITY COUNCIL

By /s/ Bob Elston
City Manager
City of Sleepy Eye, Minnesota

\$915,000
GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS
SERIES 2012D
CITY OF SLEEPY EYE, MINNESOTA

NOTICE IS HEREBY GIVEN That, by order of the City Council of the City of Sleepy Eye, Minnesota, there have been called for redemption and prepayment on

June 4, 2020

all outstanding bonds of the City designated as General Obligation Improvement and Refunding Bonds, dated November 1, 2012, having stated maturity dates of February 1 in the years 2027 through 2040, both inclusive, totaling \$320,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2027*	\$95,000	831270 SL8
2034*	105,000	831270 SM6
2040*	120,000	831270 SN4

*Term bonds.

The bonds are being called at a price of par plus accrued interest to June 4, 2020, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Northland Trust Services, Inc., in the City of Minneapolis, Minnesota, on or before June 4, 2020.

Important Notice: In compliance with the Jobs and Growth Tax Relief Reconciliation Act of 2003, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

The Registrar will not be responsible for the selection or use of the CUSIP number, nor is any representation made as to the correctness indicated in the Redemption Notice or on any Bond. It is included solely for convenience of the Holders.

Additional information may be obtained from:

Northland Trust Services, Inc.
150 South 5th Street, Suite 3300
Minneapolis, MN 55402

Dated: May 12, 2020.

BY ORDER OF THE CITY COUNCIL

By /s/ Bob Elston
City Manager
City of Sleepy Eye, Minnesota

RESOLUTION #14-2020

DESIGNATING ANNUAL POLLING PLACE

Be it resolved, that the City Council for the City of Sleepy Eye pursuant to Minnesota Statute Section 204B.16, hereby designated the following polling place for 2020 elections for the First Ward and Second Ward:

Sleepy Eye Event Center, 110 12th Avenue NE, Sleepy Eye, MN 56085

I certify that the above resolution was adopted by the City Council of the City of Sleepy Eye on May 20, 2020.

Wayne A. Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye Minnesota, did pass the above Resolution on May 20, 2020 in accordance with the Charter Provisions and state laws provided therefore.

Dated: May 20, 2020.

Michelle Strate, City Clerk

State of Minnesota)
)ss.
County of Brown)

This instrument was acknowledged before me on May 20, 2020 by Wayne A. Pelzel as Mayor, and by Michelle Strate as City Clerk, of the City of Sleepy Eye, a Municipal Corporation.

Notary Public

Extract of Minutes of Meeting
of the City Council of the City of
Sleepy Eye, Brown County, Minnesota

Pursuant to due call and notice thereof, a special meeting of the City Council of the City of Sleepy Eye, Minnesota, was duly held by telephonic or other remote means, pursuant to Minnesota Statutes, Section 13D.021, on May 27, 2020, commencing at 5:00 P.M.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was consideration of the proposal received from Northland Securities, Inc., that had been submitted to the City at the direction of the City Council for the purchase of the City's \$8,830,000 General Obligation Improvement Bonds, Series 2020B.

After due consideration of the proposal, Member _____ then introduced the following written resolution, the reading of which was dispensed with by unanimous consent, and moved its adoption:

RESOLUTION NO. 15-2020

**RESOLUTION AWARDING THE SALE OF \$8,830,000
GENERAL OBLIGATION IMPROVEMENT BONDS,
SERIES 2020B;
FIXING THEIR FORM AND SPECIFICATIONS;
DIRECTING THEIR EXECUTION AND DELIVERY;
AND PROVIDING FOR THEIR PAYMENT**

BE IT RESOLVED By the City Council (the “Council”) of the City of Sleepy Eye, Minnesota (the “City”) as follows:

Section 1. Authorization.

1.01. Improvements. This Council has previously ordered the following improvements pursuant to Minnesota Statutes, Chapter 429, as amended: (i) 2020-2021 Street and Utility Improvements, which includes water main and water secondaries, sewer main and hookups, storm sewer main and catch basins, curb and gutter, sidewalks, driveways, alleys and street surfaces, pursuant to a duly noticed public hearing held on January 24, 2019; and (ii) 12th Avenue NE and St. Mary’s Street Improvements, which includes extending 12th Avenue to the north and building a new railroad crossing, extending St. Mary’s Street to the east to connect with 12th Avenue on the south side of Home Cemetery, as well as extending Elm Street to the east to 12th Avenue, just north of the new railroad crossing, pursuant to a duly noticed public hearing held on May 20, 2020. The 2020-2021 Street and Utility Improvements and the 12th Avenue NE/St. Mary’s Street Improvements are herein collectively referred to as the “Improvements.”

1.02. Issuance of Bonds; Independent Municipal Adviser. This Council has determined it to be necessary and expedient that the City issue its General Obligation Improvement Bonds, Series 2020B, in the original aggregate principal amount of \$8,830,000 (the “Bonds”), pursuant to Minnesota Statutes, Chapter 475, as amended (the “Act”) to finance the Improvements.

The City is authorized by Section 475.60, Subdivision 2(9) of the Act to negotiate the sale of the Bonds, as the City has retained Blue Rose Capital Advisors (“Blue Rose”) as an independent municipal adviser in connection with the sale of the Bonds. The City Manager is hereby authorized to enter into a separate contract with Blue Rose related to the provision of independent municipal advisory services

Section 2. Sale of Bonds.

2.01. Award to the Purchaser and Interest Rates. The proposal of Northland Securities, Inc. (the “Purchaser”) to purchase the Bonds is found and determined to be a reasonable offer and is accepted, the proposal being to purchase the Bonds at a price of \$9,019,544.05 (par amount of \$8,830,000, plus original issue premium of \$362,612.05, less underwriter’s discount of \$173,068.00), for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2022	4.000%	2032	2.000%
2023	4.000	2033	2.000
2024	4.000	2034	2.000
2025	4.000	2035	2.000
2026	4.000	2036	2.000
2027	4.000	2037	2.000
2028	4.000	2038	2.000
2029	2.000	2039	2.050
2030	2.000	2040	2.100
2031	2.000	2041	2.125

Term Bonds due February 1, 2045 at 2.375%.

Term Bonds due February 1, 2050 at 2.500%.

2.02. Purchase Contract. The Mayor and the City Manager are directed to execute a contract with the Purchaser on behalf of the City.

2.03. Terms and Principal Amounts of Bonds. The City will forthwith issue and sell the Bonds to the Purchaser pursuant to the Act in the total principal amount of \$8,830,000. The Bonds will be originally dated as of June 24, 2020, in minimum denominations of \$5,000, numbered No. R-1 upward, bearing interest as above set forth and maturing on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2022	\$285,000	2032	\$395,000
2023	290,000	2033	405,000
2024	305,000	2034	410,000
2025	315,000	2035	415,000
2026	330,000	2036	430,000
2027	345,000	2037	435,000
2028	355,000	2038	445,000
2029	370,000	2039	450,000
2030	375,000	2040	460,000
2031	385,000	2041	470,000

Term Bonds due February 1, 2045 in the aggregate principal amount of \$485,000.

Term Bonds due February 1, 2050 in the aggregate principal amount of \$675,000.

2.04. Optional Redemption. The City may elect on February 1, 2028, and on any date thereafter to prepay Bonds maturing on or after February 1, 2029. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (defined herein) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

2.05. Mandatory Redemption. The portion of the Bonds consisting of Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part by lot at par plus accrued interest on the sinking fund installment dates and in the principal amounts as follows:

<u>Sinking Fund Installment Date</u>	<u>Principal Amount</u>
February 1, <u>2045 Term Bonds</u>	
2042	\$115,000
2043	120,000
2044	125,000
2045 (maturity)	125,000
February 1, <u>2050 Term Bonds</u>	
2046	\$130,000
2047	130,000
2048	135,000
2049	140,000
2050 (maturity)	140,000

Section 3. Registration and Payment.

3.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and the principal amount thereof is payable by check or draft issued by the Registrar described herein.

3.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing February 1, 2021, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not that day is a business day.

3.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its office a bond register in which the Registrar provides for the registration of ownership of the Bonds and the registration of transfers of the Bonds entitled to be registered or transferred.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized

by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, a new Bond of a like principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day (whether or not a business day) of the calendar month of such interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. The Bond surrendered upon transfer will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes and payments so made to registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer of a Bond, sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer.

(h) Mutilated, Lost, Stolen or Destroyed Bond. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for a Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. The Bond so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) not more than 60 and not less than 30 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed

at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

3.04. Appointment of Initial Registrar. The City appoints Northland Trust Services Inc., Minneapolis, Minnesota, as the initial Registrar for the Bonds. The Mayor and the City Manager are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation will be authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar will deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Manager will transmit to the Registrar money sufficient for the payment of all principal and interest then due on the Bonds.

3.05. Temporary Bond. The City may elect to deliver in lieu of a printed definitive Bond a typewritten temporary Bond in substantially the form set forth in Section 4 hereof. Upon the execution and delivery of the definitive Bond the temporary Bond will be exchanged therefor and cancelled.

Section 4. Form of Bond.

4.01. Form. Each Bond will be printed or typewritten in substantially the form as provided on the attached Exhibit A.

4.02. Approving Legal Opinion. The City Manager is directed to obtain a copy of the proposed approving legal opinion of Best & Flanagan LLP, Minneapolis, Minnesota, Bond Counsel to the City, which is to be complete except as to dating thereof and to cause the opinion to be printed on or accompany each Bond.

Section 5. Payment; Security; Pledges and Covenants.

5.01. Debt Service Fund. The Bonds are payable from the General Obligation Improvement Bonds, Series 2020B Debt Service Fund (the "Debt Service Fund") created hereby. The Debt Service Fund shall be administered and maintained by the City Manager as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. Proceeds of general taxes hereinafter levied (the "Taxes"), and special assessments levied or to be levied for the Improvements (the "Assessments") are additionally pledged to the Debt Service Fund. There is also appropriated to the Debt Service Fund capitalized interest financed from Bond proceeds in the amount of \$137,171.88. If a payment of principal or interest on the Bonds becomes due when there is not sufficient money in the Debt Service Fund to pay the same, the City Manager is directed to pay such principal or interest from other funds of the City, and such fund will be reimbursed for those advances out of the proceeds of Taxes and Assessments when collected.

5.02. Construction Fund. The proceeds of the Bonds, less proceeds used for capitalized interest on the Bonds as described in Section 5.01 hereof, together with any other funds appropriated for the Improvements, and the Assessments collected during the construction of the Improvements, will be deposited

in a separate construction fund (the “Construction Fund”) to be used solely to defray expenses of the Improvements and the payment of principal and interest on the Bonds prior to the completion and payment of all costs of the Improvements. Any balance remaining in the Construction Fund after completion of the Improvements may be used to pay the cost in whole or in part of any other improvement instituted under the Act. When the Improvements are completed and the cost thereof paid, the Construction Fund is to be closed and subsequent collections of Assessments for the Improvements are to be deposited in the Debt Service Fund.

5.03. Pledge of Taxes. It is determined that at least 20% of the costs of the Improvements will be specially assessed against benefited property. As related to the 12th Avenue and St. Mary’s Street portion of the Improvements, all costs of said improvements (not including capitalized interest on the Bonds that will be paid on February 1, 2021), less a City contribution in the amount of \$58,000.00 and grant funds in the amount of \$1,735,587.00, are payable from special assessments levied against the City. As related to the 2020-2021 Street and Utility Improvement portion of the Improvements (not including capitalized interest on the Bonds that will be paid on February 1, 2021), the costs of said improvements are payable from special assessments levied against benefited properties, pre-paid special assessments, and an ad valorem tax levy.

For the purpose of paying the principal of and interest on the Bonds, there is levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the City, to be spread upon the tax rolls and collected with and as part of other general taxes of the City. The Taxes will be credited to the Debt Service Fund above provided and are in the years and amounts as established on Exhibit B attached hereto.

5.04. Certifications as to Debt Service Fund Amounts. It is determined that the estimated collection of the foregoing Taxes and Assessments will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levy herein provided will be irrevocable until all of the Bonds are paid, provided that at the time the City makes its annual tax levies the City Manager may certify to the Brown County Auditor/Treasurer the amount available in the Debt Service Fund to pay principal and interest due during the ensuing year, and the County Auditor/Treasurer will thereupon reduce the levy collectible during such year by the amount so certified.

5.05. County Auditor/Treasurer’s Certificate as to Registration. The City Manager is authorized and directed to file a certified copy of this Resolution with the Brown County Auditor/Treasurer and to obtain the certificate required by Section 475.63 of the Act.

5.06. City Covenants. The City covenants with the holders from time to time of the Bonds as follows:

(a) *Levy of Assessments.* The City has caused or will cause the Assessments to be promptly levied so that the first installment will be collectible not later than 2021 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. This Council will cause to be taken with due diligence all further actions that are required for the construction of each Improvement financed wholly or partly from the proceeds of the Bonds, and will take all further actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Bonds and interest thereon when due.

(b) *Ad Valorem Tax Levy.* In the event of any current or anticipated deficiency in Assessments and Taxes, this Council will levy ad valorem taxes in the amount of the current or anticipated deficiency.

(c) *Books and Records.* The City will keep complete and accurate books and records showing receipts and disbursements in connection with the Improvements, Assessments levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and the balance of unpaid Assessments.

(d) *Annual Audits.* The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

(e) *Cost of Improvements.* At least 20% of the cost of the Improvements to the City will be specially assessed against benefited properties.

5.07. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bo, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

Section 6. Authentication of Transcript; Bond Insurance Policy.

6.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, may be deemed representations of the City as to the facts stated therein.

6.02. Certification as to Official Statement. The Mayor and the City Manager are hereby authorized and directed to certify that they have examined the Official Statement, prepared and circulated in connection with the issuance and sale of the Bonds, and that to the best of their knowledge and belief the Official Statement is, as of the date thereof, a complete and accurate representation of the facts and representations made therein as it relates to the City.

6.03. Bond Insurance Policy. Municipal Assurance Corp. (“MAC”), New York, New York, will deliver its municipal bond insurance policy (the “Policy”) with respect to the scheduled payments due of principal of and interest on the Bonds to the Registrar, as paying agent for the Bonds (the “Paying Agent”). Said Policy is on file and available for inspection at the principal office of the Paying Agent and a copy thereof may be obtained from MAC or the Paying Agent. All payments required to be made under the Policy shall be made in accordance with the provisions thereof. The Purchaser and any successor owner(s) of the Bonds shall acknowledge and consent to the subrogation rights of MAC as more fully set forth in the Policy.

Section 7. Tax Covenants.

7.01. Tax-Exempt Bonds. The City covenants and agrees with the Purchaser that it will not take or permit to be taken by any of its officers, employees, or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the “Code”), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds. To that end, the City will comply with all requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments and limitations on amount invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States (unless the City qualifies for any exemption from rebate requirements based on timely expenditure of proceeds of the Bonds, in accordance with the Code and applicable Treasury Regulations).

7.02. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be “private activity bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

7.03. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

- (a) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;
- (b) the City designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;
- (c) the reasonable anticipated amount of tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds) which will be issued by the City, and all subordinate entities of the City, during calendar year 2020 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of tax-exempt obligations issued by the City during calendar year 2020 have been designated for purposes of Section 265(b)(3) of the Code.

7.04. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements that may apply in order to effectuate the designations made by this Section.

Section 8. Book-Entry System; Limited Obligation of City.

8.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 2.03 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). Except as provided in this Section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

8.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City’s obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this Resolution. Upon delivery by DTC to the City Manager of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words “Cede & Co.,” will refer to such new nominee of DTC; and upon receipt of such a notice, the City Manager will promptly deliver a copy of the same to the Registrar and Paying Agent.

8.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the “Representation Letter”) which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

8.04. Transfers Outside Book-Entry System. In the event the City, by resolution of this Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

8.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds will be made and given, respectively, in the manner provided in DTC’s Operational Arrangements as set forth in the Representation Letter.

Section 9. Continuing Disclosure.

9.01. Execution of Continuing Disclosure Certificate. “Continuing Disclosure Certificate” means that certain Continuing Disclosure Certificate executed by the Mayor and the City Manager and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

9.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Resolution, failure of the City to comply with the Continuing Disclosure Certificate will not be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

Section 10. Defeasance. When all Bonds and all interest thereon have been discharged as provided in this Section, all pledges, covenants and other rights granted by this Resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

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Passed and adopted by the City Council of the City of Sleepy Eye, Minnesota, this 27th day of May, 2020.

CITY OF SLEEPY EYE, MINNESOTA

Wayne Pelzel, Mayor

ATTEST:

Bob Elston, City Manager

The motion for the adoption of the foregoing resolution was duly seconded by Member _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF BROWN) SS.
)
CITY OF SLEEPY EYE)

I, the undersigned, being the duly qualified and acting City Manager of the City of Sleepy Eye, Brown County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a special meeting of the City Council of the City held on May 27, 2020 with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of the City's General Obligation Improvement Bonds, Series 2020B, in the original aggregate principal amount of \$8,830,000.

WITNESS My hand officially as such City Manager and the corporate seal of the City this _____ day of _____, 2020.

(SEAL)

City Manager
City of Sleepy Eye, Minnesota

EXHIBIT A
FORM OF BOND

No. R-__

\$_____

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF BROWN
CITY OF SLEEPY EYE

GENERAL OBLIGATION IMPROVEMENT BOND
SERIES 2020B

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1, 20__	June 24, 2020	831270 ____

Registered Owner: Cede & Co.

The City of Sleepy Eye, Minnesota, a duly organized and existing home-rule charter city and political subdivision located in Brown County, Minnesota (the "City"), acknowledges itself to be indebted and for value received promises to pay to the Registered Owner specified above, or registered assigns, the principal sum of \$ _____ on the maturity date specified above, with interest on such sum payable February 1 and August 1 in each year, commencing February 1, 2021, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the calendar month of such interest payment date. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Northland Trust Services, Inc., Minneapolis, Minnesota, as Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2028, and on any date thereafter to prepay Bonds due on or after February 1, 2029. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify Depository Trust Company, New York, New York ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

The City Council of the City has designated the issue of Bonds of which this Bond forms a part as "qualified tax exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

This Bond is one of an issue in the aggregate principal amount of \$8,830,000, all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued

pursuant to a resolution adopted by the City Council of the City on May 27, 2020 (the “Resolution”), for the purpose of providing money to finance various street and utility improvement projects within the City, pursuant to and in full conformity with the home rule charter of the City and the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 429 and 475, as amended, and the principal hereof and interest hereon are payable from special assessments levied against property specially benefited by various local improvements and from ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council of the City has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in taxes pledged, which taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in the denominations of \$5,000 or any integral multiple thereof of single maturities.

The Bonds of this series consisting of Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part by lot at par plus accrued interest on the sinking fund installment dates and in the principal amounts as follows:

<u>Sinking Fund Installment Date</u>	<u>Principal Amount</u>
February 1, <u>2045 Term Bonds</u>	
2042	\$115,000
2043	120,000
2044	125,000
2045 (maturity)	125,000
February 1, <u>2050 Term Bonds</u>	
2046	\$130,000
2047	130,000
2048	135,000
2049	140,000
2050 (maturity)	140,000

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by the owner’s attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner’s attorney. Upon such transfer the City will cause a new Bond to be issued in the name of the transferee or registered owner, of the same principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar will be affected by any notice to the contrary.

Municipal Assurance Corp. (“MAC”), New York, New York, will deliver its municipal bond insurance policy (the “Policy”) with respect to the scheduled payments due of principal of and interest on

the Bonds to the Registrar, as paying agent for the Bonds (the "Paying Agent"). Said Policy is on file and available for inspection at the principal office of the Paying Agent and a copy thereof may be obtained from MAC or the Paying Agent. All payments required to be made under the Policy shall be made in accordance with the provisions thereof. The owner of this Bond acknowledges and consents to the subrogation rights of MAC as more fully set forth in the Policy.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the home rule charter of the City and the Constitution and laws of the State of Minnesota, to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional, statutory or charter limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Sleepy Eye, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and the City Manager and has caused this Bond to be dated as of the date set forth below.

Dated: June 24, 2020.

CITY OF SLEEPY EYE, MINNESOTA

City Manager

Mayor

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

NORTHLAND TRUST SERVICES, INC.

By _____
Authorized Representative

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address:

(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

EXHIBIT B

TAX LEVY SCHEDULE

<u>YEAR*</u>	<u>TAX LEVY**</u>
2021	\$538,194.58
2022	458,373.10
2023	461,943.09
2024	459,633.08
2025	462,153.09
2026	464,043.09
2027	460,053.09
2028	460,893.10
2029	458,373.09
2030	460,998.10
2031	463,413.10
2032	465,618.09
2033	462,363.10
2034	459,003.08
2035	466,038.10
2036	462,258.10
2037	536,724.58
2038	532,629.58
2039	533,443.33
2040	533,800.33
2041	150,563.45
2042	152,945.63
2043	155,203.13
2044	152,085.95
2045	154,218.75
2046	150,806.25
2047	152,643.75
2048	154,350.00
2049	150,675.00

*Year of collection

**Includes special assessments levied against the City for partial payment of the 12th Avenue and St. Mary's St. portion of the Improvements.

RESOLUTION # 16-2020

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.

June 9, 2020
Date

Mayor

Attest:

City Clerk

**RESOLUTION #17-2020
TEMPORARY OUTDOOR DINING PERMIT**

BE IT RESOLVED, the Mayor and the City Manager are hereby authorized and directed for and on behalf of the City of Sleepy Eye to execute and enter into an agreement with the Commissioner of Transportation as set forth and contained in the document entitled "PERMIT-TEMPORARY OUTDOOR DINING", a copy of which was before the City Council and which is made a part hereof by reference.

CERTIFICATION

STATE OF MINNESOTA
COUNTY OF BROWN

I hereby certify that the foregoing Resolution is a true and correct copy of the Resolution presented to and adopted by the City of Sleepy Eye at a duly authorized meeting thereof held on the 9th day of June, 2020, as shown by the minutes of said meeting in my possession.

City Clerk

Notary Public
My Commission expires _____

(SEAL)

RESOLUTION 18-2020
Authorizing City Manager to sign Temporary Outdoor Dining Permits

WHEREAS, the City Council approved the Temporary Outdoor Dining Permit with MnDot on June 9, 2020, and

WHEREAS, the City Council understands the need to approve permits in a timely and efficient manor

NOW THEREFORE BE IT RESOLVED, that the City Council grants the authority to the City Manager to approve and sign Temporary Outdoor Dining Permits as they are applied for.

Dated June 9th, 2020

Wayne Pelzel, Mayor

ATTEST: _____
Michelle Strate, City Clerk

RESOLUTION # 19-2020

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.

July, 14, 2020
Date

Mayor

Attest:

City Clerk

RESOLUTION 20-2020

DECLARATION OF RESTRICTIVE COVENANTS

These declarations are made and established this 14th day of July, 2020, by the City of Sleepy Eye (Declarant), for and with respect to the following described real property in the City of Sleepy Eye, Brown County, Minnesota, to-wit:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 4, Sleepy Hollow 5th Addition, City of Sleepy Eye, Brown County, Minnesota (hereinafter "Properties")

RECITALS

1. The above-described Properties are zoned General Industrial.
2. The Properties are neighboring an area zoned General Residential.
3. Due to its proximity to the residential dwellings and in order to protect the residential nature of neighboring properties, Declarant is willing to impose restrictions with respect to the Properties.

RESTRICTIVE COVENANTS

Based on the above, the Properties, as above described, shall be subject to the following protective covenants, restrictions, and servitude, and every subsequent owner of said Properties, including individual lots, shall be bound to said covenants, restrictions and servitude, and shall accept title subject thereto.

1. The use of the Properties shall be restricted to private, personal, and non-commercial storage buildings.
2. The sidewalls of any storage structure shall not exceed 16 feet.
3. Storage of personal property outside of the storage structure shall not be permitted.
4. The property may not be used for assembly and fabrication of previously manufactured parts and welding operations; automobile, truck and farm machinery repair garages; industrial offices; manufacturing, except limited manufacturing; and no on-site storage of flammable, explosive or hazardous materials, except fuel for incidental use or fuel in gas tanks in vehicles, boats, snowblowers, 4-wheelers, lawn mowers; and no truck or bus terminals and construction equipment storage yards.

5. Each lot must blend in aesthetically with the adjacent residential neighborhood and provide a "green space" with the planting of trees, shrubs, and grasses.

6. These restrictive covenants are perpetual, non-revocable, run with the land, and are binding on the successors and assigns of Declarant.

7. These covenants may be enforced by the owners of the Properties, by adjacent residential property owners, and by the City of Sleepy Eye.

IN WITNESS WHEREOF, the Declarant has hereunto set its hand the day and year first above written.

Dated: _____

City of Sleepy Eye by
Wayne Pelzel, Mayor

Dated: _____

City of Sleepy Eye by
Russell Elston, City Manager

STATE OF MINNESOTA)
) ss
COUNTY OF BROWN)

On this _____ day of _____, 20____, before me, a Notary Public, within and for said County and State, personally appeared, Wayne Pelzel, Mayor of the City of Sleepy Eye, a Municipal Corporation under the Laws of Minnesota, on behalf of the Corporation.

Notary Public

STATE OF MINNESOTA)
) ss
COUNTY OF BROWN)

On this _____ day of _____, 20____, before me, a Notary Public, within and for said County and State, personally appeared, Russell Elston, City Manager of the City of Sleepy Eye, a Municipal Corporation under the Laws of Minnesota, on behalf of the Corporation.

Notary Public

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

Mayor

Attest:

City Clerk

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.

Mayor Wayne Pelzel

Attest:

City Clerk – Michelle Strate

RESOLUTION

Resolution No. 23-2020

WHEREAS, the City Code for the City of Sleepy Eye, Minnesota, provides that no division of an existing parcel of land within the City shall be filed, or accepted for filing, by the Brown County Recorder unless it is accompanied by a certified copy of a Resolution adopted by the City Council approving such division; and

WHEREAS, Dennis Fromm and Sharon Fromm, spouses married to each other (hereinafter collectively “Fromm”) are in the process of purchasing from the City of Sleepy Eye the following legally described property: Lots 3, 4, and 5, Block 4, Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota; and

WHEREAS, Fromm has requested permission from the City of Sleepy Eye to split the property as a contingency to their purchase of said lots.

NOW, THEREFORE, BE IT RESOLVED, the City Council for the City of Sleepy Eye, contingent on a successful sale and transfer of the said property to Fromm, hereby approves the division of the real estate legally described as follows:

Lots 3, 4, and 5, Block 4, Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota

into FIVE separate parcels being legally described in the attached Exhibit “A”, Exhibit “B”, Exhibit “C”, Exhibit “D”, and Exhibit “E”.

Said Resolution was passed on September 8, 2020.

/s/Wayne Pelzel
Wayne Pelzel, Mayor of the City of Sleepy Eye

/s/Russell Elston
Russell “Bob” Elston, City Manager

Exhibit “A”

The West 76.62 feet of Lot 3, Block 4, Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota.

Exhibit “B”

Lot 3, Block 4, EXCEPTING THEREFROM the West 76.62 feet of Lot 3, Block 4; AND the West 25.53 feet of Lot 4, Block 4; all in Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota.

Exhibit “C”

Lot 4, Block 4, EXCEPTING THEREFROM the West 25.53 feet of Lot 4, Block 4 and EXCEPTING THEREFROM the East 25.56 feet of Lot 4, Block 4; Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota.

Exhibit “D”

The East 25.56 feet of Lot 4, Block 4; AND The West 51.06 feet of Lot 5, Block 4; all in Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County.

Exhibit “E”

Lot 5, Block 4, EXCEPTING THEREFROM the West 51.06 feet of Lot 5, Block 4, Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County.

RESOLUTION 24-2020

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

1. That the employee wage and salary schedule as recommended by the Finance Committee and detail on file with the City Clerk's office consisting of one page with said adjustments to be effective December 27th, 2020, is hereby adopted. This includes full time, those part-time listed, and includes job classification adjustments.

2. It is the intent of the City Council to follow the recommendations of the Finance Committee for wage and salary plan adjustments in following years for those employees that are specifically noted to bring their salary in line for the position.

Dated December 8th, 2020

/s/ Wayne Pelzel
Wayne Pelzel, Mayor

ATTEST: /s/ Michelle Strate
Michelle Strate, City Clerk

RESOLUTION #25-2020

DESIGNATING ANNUAL POLLING PLACE

Be it resolved that the City Council for the City of Sleepy Eye pursuant to Minnesota Statute Section 204B.16, hereby designated the following polling place for 2021 elections for the First Ward and Second Ward:

Sleepy Eye Community Center, 115 2nd Avenue NE, Sleepy Eye, MN 56085

I certify that the above resolution was adopted by the City Council of the City of Sleepy Eye on December 17th, 2020.

Wayne A. Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye Minnesota, did pass the above Resolution on December 17, 2020 in accordance with the Charter Provisions and state laws provided therefore.

Dated: December 17, 2020.

Michelle Strate, City Clerk

State of Minnesota)
)ss.
County of Brown)

This instrument was acknowledged before me on December 17, 2020 by Wayne A. Pelzel as Mayor, and by Michelle Strate as City Clerk, of the City of Sleepy Eye, a Municipal Corporation.

Notary Public