



This instrument was acknowledged before me on October 12<sup>th</sup>, 2021 by Wayne A. Pelzel as Mayor, and by Michelle Strate as City Clerk, of the City of Sleepy Eye, a Municipal Corporation.

\_\_\_\_\_  
Notary Public

Councilor Windschitl seconded the motion and the motion carried 5-0.

Councilor Stevermer made a motion to set Truth-In-Taxation Hearing for December 14<sup>th</sup> at 7:00 p.m. Councilor Andres seconded the motion and the motion carried 5-0.

Councilor Stevermer made a motion to grant variance or Bill Pelzel to build a shed 36'x56'x14' sidewalls (2016 sq feet) on his residential property. The uniqueness of the property is that the lot size is 1.08 acres. Councilor Krzmarzick seconded the motion and the motion carried 4-0 with Councilor Pelzel abstaining from the vote.

Councilor Stevermer made a motion not to object a Gambling Permit for Knights of Columbus for 1/10/2022. Councilor Andres seconded the motion and the motion carried 5-0.

Councilor Stevermer made a motion to approve a temporary liquor license for St. Mary's Church & School for November 13, 2021 and November 20, 2021. Councilor Andres seconded the motion and the motion carried 5-0.

Councilor Pelzel made a motion to approve Resolution 21-2021

RESOLUTION #21-2021

ALLOWING HALF-TIME OFFICERS TO PARTICIPATE IN PERA

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police or sheriff departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the City Council, of the City of Sleepy Eye hereby declares that the position(s) of Police Officer, currently held by Issac Froehlich and Taylor Bolinger, meet all of the following Police and Fire Plan membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FURTHER RESOLVED that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire Plan salary deduction by the governmental subdivision.

Adopted this 12th day of October, 2021.

/s/ Wayne Pelzel, Mayor

Attest: /s/ Michelle Strate, City Clerk

Councilor Krzmarzick seconded the motion and the motion carried 5-0.

Attorney Groen reported on the following:

- A. Councilor Stevermer called for Second Reading of Ordinance #193 An Ordinance to Correct Property Lines in Conveyance from Wayne and Patricia Pelzel. Councilor Windschitl seconded the motion and the motion carried 5-0.
- B. Councilor Krzmarzick made a motion to approve Resolution 22-2021

## RESOLUTION #22-2021

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, the City of Sleepy Eye (hereinafter collectively "City") is the owner of Outlot A of Kiefer's Ninth Addition, City of Sleepy Eye, Brown County, Minnesota; and

WHEREAS, the City is conveying a portion of the above-described property to its former owner.

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:

Outlot A of Kiefer's Ninth Addition, City of Sleepy Eye, Brown County, Minnesota;  
into THREE separate parcels being legally described in the attached Exhibit "A", "B" and "C".  
Said Resolution was passed on October 12th, 2021.

Dated October 12, 2021

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

Wayne Pelzel, Mayor of the City of Sleepy Eye

\_\_\_/s/Bob Elston\_\_\_\_\_

Russell "Bob" Elston, City Manager

### **Exhibit "A"**

Outlot A of Kiefer's Ninth Addition, City of Sleepy Eye, Brown County, Minnesota, excepting therefrom the following two parcels:

#### **LEGAL DESCRIPTION**

That part of Outlot A of Kiefer's Ninth Addition, City of Sleepy Eye, Brown County, Minnesota, described as follows:

Beginning at the Northwest corner of said Outlot A; thence South 89 degrees 46 minutes 04 seconds East, bearing based on Brown County Coordinate System NAD83(11) on the north line of said Outlot A, a distance of 158.00 feet; thence South 58 degrees 12 minutes 45 seconds West, a distance of 93.03 feet; thence South 33 degrees 33 minutes 41 seconds West, a distance of 65.87 feet; thence South 16 degrees 47 minutes 11 seconds West, a distance of 55.14 feet; thence South 00 degrees 12 minutes 44 seconds East, a distance of 38.17 feet; thence South 89 degrees 44 minutes 04 seconds West, a distance of 26.00 feet to the Southwest corner of Outlot A; thence North 00 degrees 12 minutes 44 seconds West on the west line of said Outlot A, a distance of 195.62 feet to the point of beginning.

Contains 0.27 acres of land.

AND

**LEGAL DESCRIPTION**

The East 25.00 feet of Outlot A, Kiefer's Ninth Addition, City of Sleepy Eye, Brown County, Minnesota.

Contains 0.07 acres of land.

Councilor Windschitl seconded the motion and the motion carried 5-0.

City Engineer David Palm reported on the following:

- A. 12<sup>th</sup> Avenue Project. Working on small punch list.
- B. 2020 Project. Paving crew is finishing. Partial Pay Estimate #10.
- C. 1<sup>st</sup> Ave/St. Mary's Street.
- D. Airport.

City Manager Report

- A. Councilor Windschitl moved to approved Resolutions 23-2021, 24-2021 and 25-2021.

**RESOLUTION #23-2021**

**CALLING FOR A HEARING ON PROPOSED ASSESSMENT FOR 12<sup>TH</sup> AVE NE AND ST. MARY'S STREET NE**

WHEREAS, the clerk has notified the council that a proposed assessment for the 12<sup>th</sup> Avenue NE and St. Mary's Street NE improvements project has been completed and filed in her office for public inspection. The location(s) of improvements are described in said assessment roll as prepared by Bolton and Menk and dated 10/05/2021.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SLEEPY EYE, MINNESOTA:

A hearing shall be held on the 9<sup>th</sup> day of November 2021 in the City Council Chambers at 6:00 pm to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and she shall state in the notice the total cost of the improvement. She shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.

All amounts for such assessments will be due and payable without interest up to thirty days from the date of adoption of the assessment. Any unpaid balances are to be certified to the County Auditor and to be paid in ten equal annual installments and to bear interest on the unpaid balance at the rate to be determined by the City Council from the date of adoption.

Adopted by the City Council this 12<sup>th</sup> day of October, 2021

/s/Wayne Pelzel, Mayor

/s/Michelle Strate, City Clerk

**RESOLUTION #24-2021**

**CALLING FOR A HEARING ON PROPOSED ASSESSMENT 2020-2021 STREET AND UTILITY PROJECT**

WHEREAS, the clerk has notified the council that a proposed assessment for the 2020-2021 Street and Utility improvements has been completed and filed in her office for public inspection. The location(s) of improvements are described in said assessment roll as prepared by Bolton and Menk and dated 10/5/2021.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SLEEPY EYE, MINNESOTA:

A hearing shall be held on the 9<sup>th</sup> day of November 2021 in the City Council Chambers at 6:00 pm to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and she shall state in the notice the total cost of the improvement. She shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.

All amounts for such assessments will be due and payable without interest up to thirty days from the date of adoption of the assessment. Any unpaid balances are to be certified to the County Auditor and to be paid in ten equal annual installments and to bear interest on the unpaid balance at the rate to be determined by the City Council from the date of adoption.

Adopted by the City Council this 12<sup>th</sup> day of October, 2021

/s/Wayne Pelzel, Mayor

/s/Michelle Strate, City Clerk

**RESOLUTION #25-2021**

**CALLING FOR A HEARING ON PROPOSED ASSESSMENT FOR FIRST AVE NORTH/CSAH 35 IMPROVEMENTS**

WHEREAS, the clerk has notified the council that a proposed assessment for the First Avenue North/CSAH 35 improvements has been completed and filed in her office for public inspection. The location(s) of improvements are described in said assessment roll as prepared by Bolton and Menk and dated 10/08/2021.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SLEEPY EYE, MINNESOTA:

A hearing shall be held on the 9<sup>th</sup> day of November 2021 in the City Council Chambers at 6:00 pm to pass upon such proposed assessment and at such time and place all persons owning property

affected by such improvement will be given an opportunity to be heard with reference to such assessment.

The city clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and she shall state in the notice the total cost of the improvement. She shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.

All amounts for such assessments will be due and payable without interest up to thirty days from the date of adoption of the assessment. Any unpaid balances are to be certified to the County Auditor and to be paid in ten equal annual installments and to bear interest on the unpaid balance at the rate to be determined by the City Council from the date of adoption.

Adopted by the City Council this 12<sup>th</sup> day of October, 2021

/s/Wayne Pelzel, Mayor

/s/Michelle Strate, City Clerk

Councilor Stevermer seconded the motion and the motion carried 5-0.

Councilor Pelzel made a motion to approve the Police Report and Cash Fund Balances. Councilor Krzmarzick seconded the motion and the motion carried 5-0.

Councilor Stevermer made a motion to approve the payment of bills. Councilor Windschitl seconded the motion and the motion carried 5-0.

There was no other business.

The meeting was properly adjourned at 7:30 p.m.

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Wayne Pelzel, Mayor

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Michelle Strate, City Clerk