

December 14, 2021

The regular meeting of the City Council of the City of Sleepy Eye was held in the Council Chambers, 200 Main Street East, Sleepy Eye, MN and via Zoom at 7:00 p.m. on the 14th day of December, 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Gary Windschitl, Douglas Pelzel, Nathan Stevermer, Christina Andres, and Scott Krzmarzick were present. Also, present were City Manager Bob Elston, City Attorney Alissa Groen, Public Works Director Mike Hardin, Chief of Police Matt Andres, City Engineer David Palm and City Clerk Michelle Strate.

Councilor Windschitl moved to approve the minutes of the November 9, 2021 Regular Meeting. Councilor Krzmarzick seconded the motion and the motion carried with 5-0 vote.

The Hearing opened at 7:02 for the Vacation of Street located at on Maple Street SE. Councilor Pelzel moved to approve Resolution 38-2021.

RESOLUTION 38-2021

A RESOLUTION VACATING A PORTION OF MAPLE STREET SE PREVIOUSLY DEDICATED IN SNOW THIRD ADDITION

WHEREAS, the City Council previously passed Resolution No. 32-2021 noting its interest in vacating, pursuant to Minnesota Statute § 412.851, that certain portion of Maple Street SE, as dedicated in Snow Third Addition, which lies between 12th Avenue SE in the City of Sleepy Eye and 260th Avenue in Home Township, and setting a public hearing to consider the vacation of such street; and

WHEREAS, a public hearing to consider the vacation of such street was held on the 14th day of December, 2021, before the City Council in the Council Chambers located at 200 Main Street East, Sleepy Eye, at 7pm, after due published and posted notice had been given, as well as personal mailed notice to all affected property owners and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation will benefit the public interest because the vacation of the street will lead to and continue to facilitate the development of the property underlying the previously dedicated street herein; and

WHEREAS, four-fifths of all members of the City Council concur in this resolution.

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

That such vacation is hereby granted and the property legally described as follows is hereby vacated:

All of Maple Street SE, as dedicated per the plat of Snow's Third Addition, excepting the East 33.00 feet thereof.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign all documents necessary to effectuate the intent of this resolution and file a notice of this vacation as required by law.

Passed by the City Council of Sleepy Eye, Minnesota this 14th day of December, 2021.

/s/Wayne Pelzel
Mayor

Attested:

/s/Michelle Strate

Councilor Stevermer seconded the motion and the motion carried 5-0. Hearing was closed at 7:06 p.m.

The Hearing for Truth-In-Taxation was opened at 7:06 p.m. The proposed budget has overall increase of 5.3% (\$80,170) for 2022. Councilor Stevermer made a motion to approve the 2022 budget and Councilor Pelzel seconded the motion. Motion carried 5-0. The hearing closed at 7:15 p.m.

Councilor Windschitl made a motion to approve Resolution 33-2021.

RESOLUTION #33-2021

ACCEPTING DONATION(S) TO THE CITY

WHEREAS, The City of Sleepy Eye, Minnesota, is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of the City of Sleepy Eye and its citizens pursuant to Minnesota statutes Section 471.17; and

WHEREAS, The following persons and entities have offered to contribute the cash amounts set forth below to the City of Sleepy Eye for the Dyckman Library.

<u>Name of Donor</u>	<u>Amount</u>	<u>For/In Memory of</u>
Brown County Rural Elect. Trust	\$500.00	Replacement Shelving
Qui Vive Club	\$80.00	General Expenses

WHEREAS, The City Council finds that it is appropriate to accept the donations offered.
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SLEEPY EYE, MINNESOTA AS FOLLOWS:

1. The donations described above are accepted and shall be used for the expenses specified by the donor. If no specific expenses are stated, they shall be used for general expenses of the department specified.

I certify that the above resolution was adopted by the City Council of the City of Sleepy Eye on December 14th, 2021.

/s/Wayne Pelzel
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 14th,2021 in accordance with the Charter Provisions and state laws provided therefore.

Dated: December 14th, 2021

/s/Michelle Strate

Michelle Strate, City Clerk

State of Minnesota)
)ss.
County of Brown)

This instrument was acknowledged before me on December 14th, 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 Andres seconded the motion and the motion carried 5-0.

Mayor Pelzel made the following appointments: Amanda Murphy to Hospital Board – 3 year term; Jacob Mielke to Hospital Board – 3 year term; Jared Miller to Park Board – 3 year term; Scott Salfer to Housing & Redevelopment – 4 year term. Councilor Krzmarzick made a motion to approve the appointments and Councilor Andres seconded the motion and the motion carried 5-0.

Councilor Stevermer made a motion to not waive statutory tort limits. Councilor Windschitl seconded the motion and the motion carried 5-0.

Councilor Stevermer made a motion to approve Resolution 34-2021.

RESOLUTION #34-2021
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 2022 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 14th, 2021.

/s/Wayne Pelzel
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 14, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: December 14, 2021.

/s/Michelle Strate
Michelle Strate, City Clerk

State of Minnesota)
)ss.
County of Brown)

This instrument was acknowledged before me on December 14, 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 Krzmarzick seconded the motion and the motion carried 5-0.

Councilor Pelzel made a motion to approve certifying unpaid invoices (utilities, garbage, mowing and snow removal) to Brown County for collection. Councilor Windschitl seconded the motion and the motion carried 5-0.

Councilor Stevermer made a motion to approve writing off PUC balances that we are unable to certify to Brown County. Councilor Windschitl seconded the motion and the motion carried 5-0.

Councilor Krzmarzick made a motion to approve Resolution 36-2021.

RESOLUTION 36-2021

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 26th, 2021, 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 14th, 2021

/s/ Wayne Pelzel

Wayne Pelzel, Mayor

ATTEST: /s/ Michelle Strate

Michelle Strate, City Clerk

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

A request has been made to re-zone Lot 1, Block 3 of Haala's 3rd Addition from Residential to Business Industrial. The Council has requested that the buyer bring to us a drawing of what they intend to put on the lot. Also draw lines of set back. Councilor Stevermer called for the First Reading. Councilor Stevermer made a motion to set public hearing for Re-zoning Lot 1, Block 3 of Haala's 3rd Addition for January 11, 2022. Councilor Krzmarzick seconded the motion and the passed 4-0 with Councilor Andres abstaining.

Fire Chief Ron Zinniel proposed the following appointments to the fire department: Trustee Brad Hoffmann thru 2024; Scott Krzmarzick - Fire Marshall; Dan Schottenbauer – Assistant Fire Marshall; Aaron Bruggeman – Lower Caretaker. Councilor Stevermer made a motion to approve these appointments. Councilor Andres seconded the motion and the motion carried 4-0 with Councilor Krzmarzick abstaining.

Attorney Groen reported on the following:

- A. Councilor Stevermer called for First Reading of Ordinance #195 An Ordinance to sell a piece of property approximately 130'x150' in the Sleepy Hollow 5th Addition. Councilor Stevermer also called for First Reading to Replat the piece of property.
- B. Councilor Pelzel called for First Reading of Ordinance #196 An Ordinance to sell Lot 13, Block 1 of Snow 2nd Addition.

City Engineer David Palm reported on the following:

- A. Final payment for 2020 Project and 12th Avenue Project.
- B. 1st Ave/St. Mary's Street. Final Payment due

- C. Airport. Signs are completed and installed. Working on capital improvements.
Working with owner on land purchase or easement

City Manager Report

- A. There is a possible donation for kayaks at the Sportsmen Park. The money is coming from the proceeds from the rib cookoff from last 3 years, First Security Bank and anonymous donor. Councilor Stevermer made a motion to purchase the kayaks. Councilor Pelzel seconded the motion and the motion carried 5-0.
- B. Councilor Stevermer made a motion to approve Resolution 39-2021.

RESOLUTION NO. 39-2021

***RESOLUTION CALLING FOR A PUBLIC HEARING ON
PROPOSED PROPERTY TAX ABATEMENTS***

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

1. Recitals.

(a) Minnesota Statutes, Sections 469.1812 through 469.1815, as amended, both inclusive, authorize the City, upon satisfaction of certain conditions, to grant an abatement of all or a part of the taxes levied by the City on real property within its boundaries.

(b) It is a legal requirement that the City hold a public hearing prior to adoption of a resolution granting any property tax abatements.

2. Hearing. A public hearing on the consideration of the property tax abatement will be held at the time and place set forth in the Notice of Hearing attached hereto as Exhibit A and hereby made a part hereof.

3. Notice. The City Manager is hereby authorized and directed to cause notice of said hearing in substantially the form attached hereto as Exhibit A to be given one publication in a newspaper of general circulation in the City at least 10 days but not more than 30 days before the hearing. The newspaper must be one of general interest and readership in the City, and the notice must be published at least once.

Councilmember Stevermer moved for the adoption of the foregoing resolution, and said motion was duly seconded by Councilmember Pelzel, and upon a vote being taken thereon after full discussion thereof, the following voted in favor thereof: Councilors Stevermer, Pelzel, Windschitl, Andres and Krzmarzick

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

C. Set a finance meeting for December 17, 2021 at noon

Councilor Winschitl made a motion to approve Resolution 35-2021.

RESOLUTION #35-2021

RESOLUTION APPROVING POLICE DEPARTMENT PARTICIPATION IN 1033 PROGRAM

WHEREAS, The Sleepy Eye Police Department has a need to utilize firearms in the course of their duty. These firearms will assist in the safety of Officers and Citizens; and

WHEREAS, The Sleepy Eye Police Department has made application to the US Government 1033 program to acquire hand-held firearms; and

WHEREAS, the application process requires documentation of approval from an elected official and/or civilian city offering their support of the proposed acquisition of firearms;

NOW, THEREFORE BE IT RESOLVED, that the Sleepy Eye City Counsel does hereby, acknowledge and support the acquisition of firearms by the Sleepy Eye Police Department through the 1033 program.

Dated December 14th, 2021

/s/ Wayne Pelzel
Wayne Pelzel, Mayor

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

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

Councilor Pelzel made a motion to approve Resolution 37-2021.

RESOLUTION 37-2021

UPDATING CONFINEMENT AND MAINTENANCE FEES FOR ANIMALS

BE IT RESOLVED, that the City Council hereby established the following fees for animals:

Confinement and Maintenance fees

- | | |
|---|-----------------|
| 1. Picking up and placing in confinement | \$20.00 |
| 2. Maintenance and boarding after the first day | \$10.00 per day |

BE IT FURTHER RESOLVED, that any previously adopted Resolutions inconsistent with this Resolution are hereby repealed.

Dated December 14th, 2021

/s/ Wayne Pelzel
Wayne Pelzel, Mayor

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

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

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

Councilor Pelzel 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 7:58 p.m.

Wayne Pelzel, Mayor

Michelle Strate, City Clerk