

January 12, 2021

The regular meeting of the City Council of the City of Sleepy Eye was held electronically in accordance with MN Statute 13D.021. Meeting was held via Zoom at 7:00 p.m. on the 12<sup>th</sup> day of January 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Nathan Stevermer, Douglas Pelzel, Scott Krzmarzick, Christina Andres and Gary Windschitl were present. Also, present were City Manager Bob Elston, City Attorney Alissa Groen, Public Works Director Mike Hardin, Chief of Police Matt Andres and City Clerk Michelle Strate.

Councilor Stevermer moved to approve the minutes of the December 8, 2020 Regular Meeting and the December 17, 2020 Special Meeting. Councilor Pelzel seconded the motion and the motion carried with roll call votes 5-0.

Mayor Pelzel appointed Joe Schieffert to the EDA Board and Christina Andres as the Council liaison to the EDA Board. Councilor Stevermer moved to approve the appointments as stated. Councilor Krzmarzick seconded the motion and the motion carried 4-0 with Councilor Andres abstaining.

Councilor Windschitl moved to designate the Sleepy Eye Herald Dispatch as the official newspaper for the year 2021 and designate the First Security State Bank, Southpoint Financial Credit Union and Americana Community Bank the official depositories for all City funds and checking accounts. Councilor Stevermer seconded the motion and the motion carried with roll call votes 5-0.

Councilor Pelzel moved to authorize the City Manager and/or City Clerk to select financial institutions of choice for City investments as needed or required. Councilor Windschitl seconded the motion and the motion carried with roll call votes 5-0.

Councilor Stevermer moved to authorize payment of Hospital Board salaries. Councilor Andres seconded the motion and the motion carried with roll call votes 5-0.

Councilor Stevermer made a motion to approve the Fire Department Election of Officers. Councilor Windschitl seconded the motion and the motion carried with roll call votes 4-0 with Councilor Krzmarzick abstaining.

Councilor Stevermer made a motion to extend the Rural Fire Agreement for 1 year. The townships were unable to meet due to the pandemic. Councilor Andres seconded the motion and the motion carried with roll call votes 5-0.

The Personnel Manual will be moved to the February meeting.

Cocouncilor Pelzel made a motion to approve the Bait Vending Machine in Sportsmen Park for \$120.00/year (including electricity). Councilor Krzmarzick seconded the motion and the motion carried with roll call votes 5-0.

Councilor Stevermer made a motion not to object to the Gambling Permits to St. Mary's Church, February 13, 2021. Councilor Andres seconded the motion and motion carried.

Attorney Groen reported on the following:

- A. Councilor Windschitl called for First Reading of Ordinance #176 To Sell Real Estate to Rod and Vickie Schumacher.
- B. Councilor Pelzel called for First Reading or Ordinance #177 Establishing Twice Addition.
- C. Councilor Stevermer called for Second Reading of Ordinance #174 Establishing Sleepy Hollow Sixth Addition. Councilor Pelzel seconded the motion and the motion carried with roll call votes 5-0.
- D. Councilor Stevermer called for Second Reading of Ordinance #175 Redetermining Salaries of Mayor and Councilpersons. Councilor Windschitl seconded the motion and the motion carried with roll call votes 5-0.

- E. Councilor Pelzel called for the First Reading of Ordinance #178 To Sell Real Estate – City to John Pelzel.

City Engineer David Palm reported on the following:

- A. 12<sup>th</sup> Avenue Project.
- B. 2020 Project
- C. 1<sup>st</sup> Ave/St. Mary's Street. Work is in process to create the preliminary assessment roll.

City Manager Elston reported on the following:

- A. Councilor Windschitl made a motion to approve the budget requests from Sleepy Eye Area Historical Society of \$4200 and Sleepy Eye Chamber of \$9000. Councilor Pelzel seconded the motion and the motion carried with roll call votes 4-0, with Councilor Andres abstaining.

Chief Andres indicated that the Officers have not had any issues with speeding on the new roads by 12<sup>th</sup> Ave and Elm Street. He also discussed the speed signs and would like to keep them down for the Winter months. Councilor Stevermer made a motion to approve the Police Report and Cash Fund Balances. Councilor Krzmarzick seconded the motion and the motion carried with roll call votes 5-0.

Councilor Pelzel moved to approve and allow payment of the monthly bills. Councilor Andres seconded the motion and the motion carried with roll call votes 5-0.

Councilor Andres made a motion to have Councilor Stevermer sign the bill for the month of January. Councilor Krzmarzick seconded the motion and the motion carried with roll call votes 5-0. A new Council President will be selected at the February meeting.

There was no other business.

The meeting was properly adjourned at 7:56 p.m.

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Wayne Pelzel, Mayor

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Michelle Strate, City Clerk

February 9, 2021

The regular meeting of the City Council of the City of Sleepy Eye was held electronically in accordance with MN Statute 13D.021. Meeting was held via Zoom at 7:00 p.m. on the 9<sup>th</sup> day of February 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Nathan Stevermer, Douglas Pelzel, Scott Krzmarzick, Christina Andres and Gary Windschitl were present. Also, present were City Manager Bob Elston, City Attorney Alissa Groen, Public Works Director Mike Hardin, Chief of Police Matt Andres and City Clerk Michelle Strate.

Councilor Windschitl moved to approve the minutes of the January 12, 2021 Regular Meeting. Councilor Pelzel seconded the motion and the motion carried with roll call votes 5-0.

Mayor Pelzel appointed Alissa Fischer-Groen as City Attorney and grants permission for her to appoint Counsel for conflicts. Councilor Andres moved to approve the appointment as stated. Councilor Windschitl seconded the motion and the motion carried 5-0 with roll call votes.

Councilor Windschitl nominated Councilor Stevermer as Council President. Councilor Krzmarzick seconded the nomination and the motion carried with roll call votes 5-0.

Councilor Stevermer made a motion to accept Resolution 1-2021.

RESOLUTION #1-2021  
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's Dyckman Free Library:

<u>Name of Donor</u>	<u>Amount</u>	<u>For/In Memory of</u>
Eva Hawk	\$250.00	Children's books
Amy and Peter Hinrichs	\$100.00	Les Peterson
Mark Rasmussen	\$50.00	general memorial
Jim and Deb Miesen	\$15.00	Les Peterson
Sheila Schmid	\$50.00	general donation
Jane Rasmussen	\$20.00	Les Peterson

**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 donation described above is accepted and shall be used for the expenses specified by the donor, and if no specific expense is stated, it shall be used for general expenses of the Dyckman Free Library.

I certify that the above resolution was adopted by the City Council of the City of Sleepy Eye on February 9<sup>th</sup>, 2021.

\_\_\_\_\_  
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 February 9, 2021 in accordance with the Charter Provisions and state laws provided therefore.

Dated: February 9, 2021

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Michelle Strate, City Clerk

Councilor Andres seconded the motion and the motion carried with roll call votes 5-0.

Councilor Windschitl made a motion to approve plumbing license for Jake's Plumbing. Councilor Pelzel seconded the motion and the motion carried with roll call votes 5-0.

Councilor Pelzel called for First Reading of Ordinance #179 Changing Part of the City Zoning from Residential to Business Industrial.

The Conditional Use Permit for Dale and Robin Schottle has been tabled until next month. Schottle's will provide more information.

Councilor Pelzel made a motion to not grant the variance for Brandon and Jessica Kuelbs to have 8'x12' utility shed, resulting in total square footage of all outbuildings being over 1008 square feet for a residential zone. Councilor Windschitl seconded the motion and the motion carried with roll call votes 5-0.

Councilor Stevermer made a motion not to object to Gambling Permit for Knights of Columbus for April 17, 2021 and St. Mary's Church on March 7, 2021. Councilor Pelzel seconded the motion and the motion carried with roll call votes 5-0.

Attorney Groen reported on the following:

- A. Councilor Windschitl called for First Reading of Ordinance #180 To Sell Real Estate to Gregory and Deborah Braulick.
- B. Councilor Pelzel called for Second Reading or Ordinance #176 To Sell Real Estate to Rod and Vickie Schumacher. The cost of the lot is \$58,000.00. Councilor Stevermer seconded the motion and the motion carried with roll call votes 5-0
- C. Councilor Stevermer called for Second Reading of Ordinance #178 To Sell Real Estate – City to John Pelzel. The cost is \$32,000.00 for each lot for total of \$96,000.00. Councilor Andres seconded the motion and the motion carried with roll call votes 5-0.
- D. Councilor Stevermer made a motion to approve Resolution 2-2021.

### **RESOLUTION #2-2021**

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, John Pelzel (hereinafter collectively "Pelzel") is 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, Pelzel 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 Pelzel, 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 February 9th, 2021.

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Wayne Pelzel, Mayor

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Russell "Bob" Elston, City Manager

Councilor Krzmarzick seconded the motion and the motion carried with roll call votes

5-0.

City Engineer David Palm reported on the following:

- A. 12<sup>th</sup> Avenue Project. Working on slope by cemetery.
- B. 2020 Project
- C. 1<sup>st</sup> Ave/St. Mary's Street. Councilor Stevermer made a motion to approve Resolution 3-2021 .

#### RESOLUTION #3-2021

#### RECEIVING REPORT AND CALLING HEARING ON IMPROVEMENT

**WHEREAS**, a report has been prepared by Bolton and Menk with reference to the improvement of First Avenue between Walnut Street and St. Mary's Street, and this report was received by the council on February 9, 2021, and

**WHEREAS**, the report provides information regarding whether the proposed project is necessary, cost-effective and feasible,

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

1. The Council will consider the improvement of such street in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$1,272,137.
2. A public hearing shall be held on such proposed improvement on the 8th day of March, 2021, at the Sleepy Eye Event Center at 7:00p.m. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

I certify that the above resolution was adopted by the City Council of the City of Sleepy Eye on February 9<sup>th</sup>, 2021.

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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 February 9, 2021 in accordance with the Charter Provisions and state laws provided therefore.

Dated: February 9, 2021

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Michelle Strate, City Clerk

Councilor Andres seconded the motion and the motion carried with roll call votes 5-0.

Councilor Stevermer made a motion to approve Resolution 4-2021.

**RESOLUTION NO. 4-2021**

**REQUESTING A VARIANCE FROM STANDARD FOR STATE AID OPERATION FOR PROJECT NO. S.A.P.008-635-015 (CSAH 35/1<sup>ST</sup> AVENUE)**

**WHEREAS**, the City of Sleepy Eye and Brown County are preparing plans for CSAH 35 (1<sup>st</sup> Ave) Urban Grading, Storm Sewer, Sanitary Sewer, Water Main and ADA Improvements located between Walnut Street and CSAH 34 (St. Mary's Street NW) in the City of Sleepy Eye; and

**WHEREAS**, Minnesota Rules for State Aid Operation 8820.9961 requires 14 feet of distance between the traffic lane and the parking stall for a parking angle of 45-degrees with a present ADT of greater than 3000 vehicles; and

**WHEREAS**, the reasons for this variance request is increasing the existing 59-foot curb face to curb face street width to the required 62-foot curb face-to-curb face street would require the reconstruction of curb radii, storm sewer structures, and RRFB lights and controller on a recent MnDOT project (2018) at the TH 14 and CSAH 34 intersection, reduce the sidewalk width to a possible non-compliant PAR, extra costs to relocate street light standards and wiring and additional encroachment into the PAR.

**NOW, THEREFORE BE IT RESOLVED**, that the City of Sleepy Eye City Council does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9961 *Minimum Design Standards for 45-Degree and 60- Degree Pull-in Diagonal Parking (45-degree;  $\geq 3000$  ADT)* to allow 11 feet of distance between Traffic Lane and Parking Stall in lieu of the required 14-foot minimum distance between Traffic Lane and Parking Stall;

**BE IT FURTHER RESOLVED**, that the City of Sleepy Eye City Council hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of improvements made from the proposed 2021-2022 CSAH 35 (SAP 008-635-015) Project in accordance with Minnesota Rules 8820.9961 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting of this variance.

Passed and approved this 9<sup>th</sup> day of February, 2021

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Wayne Pelzel  
Mayor, City of Sleepy Eye

Attest: \_\_\_\_\_  
Michelle Strate,  
City Clerk, City of Sleepy Eye

Councilor Andres seconded the motion and the motion carried with roll call votes 5-0.

City Manager Elston reported on the following:

A. Councilor Pelzel made a motion to adopt the Personnel Manual. Councilor Windschitl seconded the motion and the motion carried with roll call votes 5-0.

Councilor Stevermer made a motion to approve the Police Report and Cash Fund Balances. Councilor Pelzel seconded the motion and the motion carried with roll call votes 5-0.

Councilor Pelzel moved to approve and allow payment of the monthly bills. Councilor Krzmarzick seconded the motion and the motion carried with roll call votes 5-0.

There was no other business.

The meeting was properly adjourned at 8:16 p.m.

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Wayne Pelzel, Mayor

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Michelle Strate, City Clerk

March 9, 2021

The regular meeting of the City Council of the City of Sleepy Eye was held electronically in accordance with MN Statute 13D.021. Meeting was held in the Council Chambers, 200 Main Street East, Sleepy Eye, MN and via Zoom at 7:00 p.m. on the 9<sup>th</sup> day of March 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Nathan Stevermer, Douglas Pelzel, Scott Krzmarzick, Christina Andres and Gary Windschitl were present. Also, present were City Manager Bob Elston, City Attorney Alissa Groen, Public Works Director Mike Hardin, Chief of Police Matt Andres and City Clerk Michelle Strate.

Councilor Pelzel moved to approve the minutes of the February 9, 2021 Regular Meeting. Councilor Stevermer seconded the motion and the motion carried.

Councilor Windschitl moved to approve a temporary on-sale liquor license for St. Mary's Church for May 15, 2021. Councilor Stevermer seconded the motion and the motion carried.

Councilor Stevermer made motion not to object to gambling permit for Pheasants Forever. Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Pelzel made a motion to approve the purchase of a painting machine (painting parking stripes) from Graco for \$3975.00. Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Stevermer made a motion to approve the liquor license renewal fee at a 14% or \$350.00 reduction for the upcoming year. Councilor Pelzel seconded the motion and the motion carried.

Councilor Stevermer made a motion to approve zero setback for Twice Properties duplex. Councilor Andres seconded the motion and the motion carried.

Councilor Pelzel called for Second Reading of Ordinance #177 Establishing Twice Addition. Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Pelzel called for First Reading of Ordinance #183 Amending the Square Footage Required Per Unit of a Multi-Family Facility.

Councilor Windschitl called for Second Reading of Ordinance #179 Changing Part of the City Zoning from Residential to Business Industrial. Councilor Pelzel seconded the motion and the motion carried.

Attorney Groen reported on the following:

- A. Councilor Andres called for Second Reading of Ordinance #180 To Sell Real Estate to Gregory and Deborah Braulick. The cost of the lot is \$32,000.00. Councilor Stevermer seconded the motion and the motion carried.
- B. Councilor Andres called for First Reading or Ordinance #181 To Sell Real Estate to Allen and Jodi Arneson.
- C. Councilor Windschitl called for First Reading of Ordinance #182 To Sell Real Estate – City to Haala Properties.
- D. Councilor Krzmarzick called for First Reading of Ordinance #184 To Allow XUV's or Side by Side to be used on City Streets.

City Engineer David Palm reported on the following:

- A. 2020 Project. Working on putting records and logs together
- B. 12<sup>th</sup> Avenue Project. Working on putting records and logs together
- C. 1<sup>st</sup> Ave/St. Mary's Street. Preliminary Assessment Hearing is done. Councilor Pelzel made a motion to order the Improvements and prepare plans and specs. Councilor Krzmarzick seconded the motion and the motion carried.

City Manager Elston reported on the following: nothing to report

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

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

There was no other business.

The meeting was properly adjourned at 7:53 p.m.

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Wayne Pelzel, Mayor

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Michelle Strate, City Clerk

April 13, 2021

The regular meeting of the City Council of the City of Sleepy Eye was held electronically in accordance with MN Statute 13D.021. Meeting was held in the Council Chambers, 200 Main Street East, Sleepy Eye, MN and via Zoom at 7:00 p.m. on the 13<sup>th</sup> day of April 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Nathan Stevermer, Douglas Pelzel, Scott Krzmarzick, Christina Andres and Gary Windschitl were present. Also, present were City Manager Bob Elston, City Attorney Alissa Groen, Public Works Director Mike Hardin, Chief of Police Matt Andres and City Clerk Michelle Strate.

Councilor Andres moved to approve the minutes of the March 9, 2021 Regular Meeting. Councilor Windschitl seconded the motion and the motion carried.

Mayor Pelzel Proclaimed April 30, 2021 as Arbor Day.

Councilor Pelzel made a motion to approve Resolution 9-2021.

RESOLUTION #9-2021  
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's Dyckman Free Library, Sleepy Eye Ambulance, Sleepy Eye Police Department and Sleepy Eye Fire Department:

<u>Name of Donor</u>	<u>Amount</u>	<u>For/In Memory of</u>
Stephen and Lois Hillesheim	\$100.00	Patsy Reynolds (library)
Sandra and Richard Trondson	\$50.00	Patsy Reynolds (library)
Schwab Charitable	\$200.00	Ambulance
Schwab Charitable	\$200.00	Police Dept
Mathiowetz Construction	\$500.00	Fire Dept
SE Sportsmen's Club	\$10,000	Docks @ SE Lake
Chuck Spaeth Ford	\$500	Docks @ SE Lake
Mike Carr	\$500	Docks @ SE Lake

**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 April 13<sup>th</sup>, 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 April 13th, 2021 in accordance with the Charter Provisions and state laws provided therefore.

Dated: April 13<sup>th</sup>, 2021

/s/Michelle Strate  
Michelle Strate, City Clerk

Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Pelzel made motion to approve the variance request for Chuck Hauser to allow zero setback on the NW corner of building. Councilor Windschitl seconded the motion and the motion carried.

Councilor Stevermer made a motion not to object to an Exempt Gambling Permit for St. Mary's for May 15, 2021. Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Pelzel made a motion to approve the donation of \$5,000 to the Avenue of Flags to build a storage shed on Home Cemetery. Councilor Andres seconded the motion and the motion carried.

Councilor Stevermer made a motion to approve the increase of pension benefits to \$2,500/per firemen year for Firemen Pension. Councilor Windschitl seconded the motion and the motion carried.

Councilor Windschitl made a motion to approve the purchase of new docks at the Sportsmen Park from The Boat House. The estimate for the two docks is \$14,638.00. Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Krzmarzick made a motion to approve the purchase of Fireworks for the 4<sup>th</sup> of July Celebration for the budgeted amount of \$7,500.00. Councilor Pelzel seconded the motion and the motion carried.

Councilor Pelzel called for Second Reading of Ordinance #183 Amending City Code Section 10-5-E-3, Regarding Lot Size Area Requirements. Councilor Stevermer seconded the motion and the motion carried.

Attorney Groen reported on the following:

A. Councilor Andres made a motion to approved Resolution 10-2021.

### **RESOLUTION 10-2021**

Resolution updating Pelzel lot split

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, John Pelzel (hereinafter collectively "Pelzel") is 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, Pelzel 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 Pelzel, 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 April 13, 2021.

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

/s/Russell "Bob" Elston  
Russell "Bob" Elston, City Manager

**Exhibit "A"**

The West 76.62 feet of Lot 3, Block 4, Sleepy Hollow Fifth Addition, as measured on the north line of said Lot 3, City of Sleepy Eye, Brown County, Minnesota. The east and west lines of parcel are to be parallel.

**Exhibit "B"**

Lot 3, Block 4, EXCEPTING THEREFROM the West 76.62 feet of Lot 3, Block 4 as measured on the north line of said Lot 3; AND the West 25.53 feet of Lot 4, Block 4, as measured on the north line of said Lot 4; Sleepy Hollow Fifth Addition, City of Sleepy Eye, Brown County, Minnesota. The east and west lines of parcel are to be parallel.

**Exhibit "C"**

Lot 4, Block 4, EXCEPTING THEREFROM the West 25.53 feet of Lot 4, Block 4, as measured on the north line of said Lot 4 and EXCEPTING THEREFROM the East 25.56 feet of Lot 4, Block 4, as measured on the north line of said Lot 4; Sleepy Hollow Fifth Addition, City of Sleepy Eye, Brown County, Minnesota. The east and west lines of parcel are to be parallel.

**Exhibit "D"**

The East 25.56 feet of Lot 4, Block 4, as measured on the north line of said Lot 4; AND the West 51.06 feet of Lot 5, Block 4, as measured on the north line of said Lot 5; Sleepy Hollow Fifth Addition, , City of Sleepy Eye, Brown County. The east and west lines of parcel are to be parallel.

**Exhibit "E"**

Lot 5, Block 4, EXCEPTING THEREFROM the West 51.06 feet of Lot 5, Block 4, as measured on the north line of said Lot 5, Sleepy Hollow Fifth

Addition, City of Sleepy Eye, Brown County. The east and west lines of parcel are to be parallel.

Councilor Stevermer seconded the motion and the motion carried.

B. Councilor Stevermer called for Second Reading or Ordinance #182 To Sell Real Estate – City to Haala Properties LLLP. The purchase price of the property is \$72,000.00. Councilor Andres seconded the motion and the motion carried.

C. The Ordinance regarding allowing XUV’s or Side by Side’s to be used on City streets is tabled until next month. Councilors are asked to look over the proposed Ordinance with changes or suggestions.

City Engineer David Palm reported on the following:

- A. 2020 Project. Working on punch list
- B. 12<sup>th</sup> Avenue Project. Working on punch list.
- C. 1<sup>st</sup> Ave/St. Mary’s Street. Councilor Windschitl made a motion to approve Resolutions 5-2021, 6-2021, 7-2021 and 8-2021.

**RESOLUTION NO. 5-2021**

**RESOLUTION FOR PARALLEL PARKING ONLY**

**WHEREAS**, the County of Brown has submitted to the Commissioner of Transportation, the plans and specifications for the improvement of CSAH 35 from Pine Street to St. Mary’s Street, and

**WHEREAS**, state-aid funds will be expended on the improvement of this street, and

**WHEREAS**, the approved state-aid standards as applicable to this project limit and restrict all parking to that which is parallel with the curb.

**NOW, THEREFORE BE IT RESOLVED**, the City of Sleepy Eye shall require that parking of all vehicles within the corporate limits on First Avenue from Pine Street to St. Mary’s Street, State Aid Route Number 35, be parallel with the curb in accordance with the State Aid Standards.

Passed and approved this 13<sup>th</sup> day of April 2021.

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

Wayne Pelzel  
Mayor, City of Sleepy Eye

Attest: \_\_\_\_/s/Michelle Strate\_\_\_\_\_

Michelle Strate,  
City Clerk, City of Sleepy Eye

State of Minnesota     )  
County of Brown       ) SS  
City of Sleepy Eye     )

I do hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented and adopted by the Council of the City of Sleepy Eye, Minnesota at a duly authorized meeting thereof held on the 13<sup>th</sup> day of April, 2021, as shown by the minutes of said meeting in my possession.

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

Michelle Strate, City Clerk

**RESOLUTION 6-2021**

**APPROVING COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS**

WHEREAS, plans for Project No. SAP 008-635-015 showing proposed alignment, profiles grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No.35 within the limits of the City as a State Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.  
Dated this 13th, day of April, 2021.

**CERTIFICATION**

State of Minnesota  
County of Brown  
City of Sleepy Eye

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the City Council of Sleepy Eye at a meeting therefor held in the City of Sleepy Eye, Minnesota, on the 13th day of April, 2021, as disclosed by the records of said City in my possession.

/s/Michelle Strate  
Michelle Strate, City Clerk

**RESOLUTION NO. 7-2021**

**RESOLUTION FOR PARALLEL PARKING ONLY**

**WHEREAS**, the County of Brown has submitted to the Commissioner of Transportation, the plans and specifications for the improvement of CSAH 34 from TH 4 to Windsor Road, and

**WHEREAS**, state-aid funds will be expended on the improvement of this street, and

**WHEREAS**, the approved state-aid standards as applicable to this project limit and restrict all parking to that which is parallel with the curb.

**NOW, THEREFORE BE IT RESOLVED**, the City of Sleepy Eye shall require that parking of all vehicles within the corporate limits on St. Mary’s Street and Third Avenue NE, State Aid Route Number 34, be parallel with the curb in accordance with the State Aid Standards.

Passed and approved this 13<sup>th</sup> day of April 2021.

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

Attest: /s/Michelle Strate  
Michelle Strate,  
City Clerk, City of Sleepy Eye

State of Minnesota )  
County of Brown ) SS  
City of Sleepy Eye )

I do hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented and adopted by the Council of the City of Sleepy Eye, Minnesota at a duly authorized meeting





Dated: May 11<sup>th</sup>, 2021

/s/Michelle Strate  
Michelle Strate, City Clerk

Councilor Pelzel seconded the motion and the motion carried.

Councilor Stevermer called for the First Reading of Ordinance #185 An Ordinance for Selling Real Estate to Brian and Abigail Schwartz. Lot 6, Block 4 of Sleepy Hollow Fifth Addiiton.

Councilor Stevermer called for the First Reading of Ordinance #186 An Ordinance for Selling Real Estate to Eugene and Jill Sellner. Lot 8, Block 4 of Sleepy Hollow Fifth Addition.

Councilor Stevermer called for First Reading of Ordinance to Sell Property to Briar Braulick. Lot 3, Block 1, Snow Farm Addition.

Councilor Windschitl made a motion to approve the Dance Permit for St. Mary's Church for May 15, 2021. Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Stevermer made a motion not to object to an Exempt Gambling Permit for St. Mary's Church for July, 2021. Councilor Andres seconded the motion and the motion carried.

Councilor Pelzel made a motion to approve Janu-4 Freedom; Schutz Family Foods and Dairy Queen permits to sell fireworks. Councilor Windschitl seconded the motion and the motion carried.

Councilor Stevermer made a motion to approve the Fireworks Display by the Sleepy Eye Fire Department on July 4<sup>th</sup>. Councilor Andres seconded the motion and the motion carried.

Councilor Windschitl made a motion to approve the following liquor licenses for July 1, 2021 to June 20, 2022: : JANU-4 Freedom, 400 Main Street West – Beer Off Sale -- \$50.00  
Schutz Family Foods, 900 Main Street East – Beer Off Sale -- \$50.00  
SE Baseball Assn, Sleepy Eye Baseball Park – Seasonal Beer On Sale -- \$100.00  
SE Baseball Assn, Sleepy Eye Baseball Park – Tourney Beer On Sale - \$30.00  
SE Lanes, Lydell Sik, 140 1<sup>st</sup> Avenue S – Beer On Sale -- \$100.00  
Meyers Bar & Lounge, Scott Meyer, 201 Main Street E, -- Liquor/Sunday Liquor -- \$2,450.00  
(COVID fee – 2021 - \$2,100.00)

Beer Off sale -- \$50.00

Servicemen's Club, 113 First Avenue S – Liquor/Sunday Liquor -- \$2,450.00 (COVID fee - 2021-\$2,100.00)

City of Sleepy Eye Event Center, 110 12<sup>th</sup> Avenue SE – Liquor/Sunday Liquor -- \$.00

Sleepy Eye Off Sale LLC, 902 Main Street East – Off Sale Liquor - \$800.00

Sleepy Eye Brewing Co., LLC, 121 Main Street West – On Sale Brewers Tap & Sundays License/Brewer Off Sale Intoxicating Liq License with Sunday Lic - \$1,200.00

Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Stevermer made a motion to approve the following Special Event Beer Licenses: Knights of Columbus -July 4, 2021 - \$20.00; SE Area Chamber of Commerce -August 20 & 21 - \$30.00; St. Mary's Church Festival -August 1, 2021 - \$20.00; Servicemen's Club – August 20, 2021 - \$20.00. Councilor Pelzel seconded the motion and the motion carried.

Councilor Pelzel called for Second Reading of Ordinance #183 Amending City Code Section 10-5-E-3, Regarding Lot Size Area Requirements. Councilor Stevermer seconded the motion and the motion carried.

Discussion regarding the amending the ordinance for plumbing licenses will be tabled until next month.

Attorney Groen reported on the following:

A. Councilor Pelzel called for Second Reading of Ordinance #181, An Ordinance for Selling Real Estate to Allen and Jodi Arneson. The cost of the purchase will be

\$1,000 per square foot = \$23,833.00. Councilor Andres seconded the motion and the motion carried.

- B. The Ordinance regarding allowing XUV's or Side by Sides to be used on City streets is tabled until next month. Attorney Groen will be looking into what County and State are allowing on County and State roads.

City Engineer David Palm reported on the following:

- A. 2020 Project. Working on punch list
- B. 12<sup>th</sup> Avenue Project. Work has started up again. Partial pay estimate #9 is due.
- C. 1<sup>st</sup> Ave/St. Mary's Street – Plans & Specs are done and to the County
- D. Airport – working on obstruction free zone

#### City Manager Report

- A. Councilor Stevermer made a motion to approve the \$12,500 appropriation to Home Cemetery (amount was budgeted). Councilor Andres seconded the motion and the motion carried.

Police Report – Chief Andres presented the Police 5-year plan on the cameras requesting to be installed downtown.

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

Councilor Pelzel made a motion to approve the payment of bills. Councilor Krzmarzick seconded the motion and the motion carried.

There was no other business.

The meeting was properly adjourned at 7:59p.m.

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Wayne Pelzel, Mayor

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Michelle Strate, City Clerk

June 8, 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 8<sup>th</sup> day of June, 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Douglas Pelzel, Scott Krzmarzick, Christina Andres and Gary Windschitl were present. Councilor Nathan Stevermer was absent. Also, present were City Manager Bob Elston, City Attorney Alissa Groen, Public Works Director Mike Hardin, Chief of Police Matt Andres, City Engineer Matt Miller and City Clerk Michelle Strate.

Councilor Andres moved to approve the minutes of the May 11, 2021 Regular Meeting. Councilor Krzmarzick seconded the motion and the motion carried.

Councilor Pelzel made a motion to approve Resolution 12-2021.

RESOLUTION #12-2021  
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 Sleepy Eye Ambulance, Sleepy Eye Fire Department and the Dyckman Free Library:

<u>Name of Donor</u>	<u>Amount</u>	<u>For/In Memory of</u>
Leslie R. Hoffmann	\$300	Robert R. Hoffmann
Carl and Verna Schmidt Foundation	\$10,000	For new shelving
Schwartz Farms	\$200	For needed 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 June 8<sup>th</sup>, 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 June 8<sup>th</sup>, 2021 in accordance with the Charter Provisions and state laws provided therefore.

Dated: June 8<sup>th</sup>, 2021

/s/Michelle Strate  
Michelle Strate, City Clerk

Councilor Andres seconded the motion and the motion carried.

Councilor Windschitl made a motion to approve the Mayor's appointment of Toby Arneson to the EDA Board. Councilor Pelzel seconded the motion and the motion carried.

Councilor Windschitl called for the First Reading of Ordinance #189 An Ordinance for Selling Real Estate to Cory Domeier. Lot 8, Block 1 of Snow Farm Addition.

Councilor Windschitl called for First Reading of Ordinance #188 An Ordinance Amending City Code Section 3-9, "Plumbers". Eliminating the unnecessary paperwork and licensing fees for plumbers.

Attorney Groen reported on the following:

- A. Councilor Krzmarzick called for Second Reading of Ordinance #184 An Ordinance Regulating Special Use Vehicles on City Roadways. The permits for the XUV's can be obtained online. Councilor Pelzel seconded the motion and the motion carried.
- B. Councilor Andres made a motion to allow Summary Publication of Ordinance #184. The full Ordinance can be obtained at the Dyckman Library, in the City Office or online at SleepyEye-MN.com. Councilor Krzmarzick seconded the motion and the motion carried.
- C. Councilor Andres called Second Reading of Ordinance #185 To Sell Real Estate to Brian and Abigail Schwartz. The sale price of the property is \$32,000. Councilor Pelzel seconded the motion and the motion carried.
- D. Councilor Krzmarzick called for Second Reading of Ordinance #186 To Sell Real Estate to Eugene and Jill Sellner. The sale price of the property is \$32,000. Councilor Pelzel seconded the motion and the motion carried.
- E. Councilor Andres called for Second Reading of Ordinance #187 To Sell Real Estate to Briar and Heidi Braulick. The sale price of the property is \$86,400. Councilor Windschitl seconded the motion and the motion carried.

City Engineer Matt Miller reported on the following:

- A. 2020 Project. Continue to work on punch list. Partial Pay Estimate #8 is due for \$42,398.14.
- B. 12<sup>th</sup> Avenue Project. Concrete and paving are complete. Partial pay estimate #10 is due for \$668,667.91.
- C. 1<sup>st</sup> Ave/St. Mary's Street – Bid opening is June 9, 2021 at 10:00.
- D. Airport – working on obstruction free zone. Need 3 new signs at the Airport.

City Manager Report - nothing

Councilor Pelzel made a motion to approve the Police Report and Cash Fund Balances.

Councilor Andres seconded the motion and the motion carried.

Councilor Windschitl made a motion to approve the payment of bills. Councilor Pelzel seconded the motion and the motion carried.

There was no other business.

The meeting was properly adjourned at 7:48 p.m.

Wayne Pelzel, Mayor

Michelle Strate, City Clerk

June 16, 2020

The special meeting of the City Council of the City of Sleepy Eye was held in the Council Chambers, 200 Main Street East, Sleepy Eye, MN at 12:00 p.m. on the 16<sup>th</sup> day of June 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Douglas Pelzel, Christina Andres, Scott Krzmarzick and Gary Windschitl were present. Councilor Nathan Stevermer was absent. Also, present were City Manager Bob Elston, City Clerk Michelle Strate and City Engineer Matt Miller.

Councilor Pelzel made a motion to approve bids on the 1<sup>st</sup> Avenue Project. Total cost is \$4,099,530 with \$1,073,000 of it being the City's responsibility. The total project is 14.6% over estimate. The City's portion is 6% over estimate. Councilor Krzmarzick seconded the motion and the motion carried 4-0.

Councilor Windschitl approved the loan forgiveness for Friendz Salon. They requested to payoff early and asking for forgiveness of the other half of the loan due to the sale of the salon. Councilor Andres seconded the motion and the motion carried 4-0.

There was no other business.

The meeting was properly adjourned at 12:10 p.m.

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Wayne Pelzel, Mayor

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Michelle Strate, City Clerk

July 13, 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 13<sup>th</sup> day of July, 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Douglas Pelzel, Nathan Stevermer, Scott Krzmarzick and Christina Andres were present. Councilor Gary Windschitl was absent at roll call. 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 Pelzel moved to approve the minutes of the June 8, 2021 Regular Meeting and June 16, 2021 Special Meeting. Councilor Andres seconded the motion and the motion carried with 4-0 vote.

There was a discussion to purchase the property located at 117 2<sup>nd</sup> Ave SW, house north of Fire Department. It is currently a rental property and would continue to rent if City purchased it. There was a consensus to move forward and bring to the Finance Committee with a purchase agreement before bringing back to Council Meeting.

Councilor Krzmarzick made a motion to approve temporary liquor license for Allison Park on 8/21/21; Alley behind Brewery 8/21/21; Alley behind Brewery 9/25/21. Councilor Stevermer seconded the motion and the motion carried 3-0 with Councilor Andres abstaining.

Councilor Stevermer made a motion not to object to exempt gambling permit for St. Mary's Church on 8/1/21. Councilor Andres seconded the motion and the motion carried 4-0.

Councilor Andres called for Second Reading of Ordinance #190 An Ordinance Amending City Code Section 3-9, "Plumbers". Eliminating the unnecessary paperwork and licensing fees for plumbers. Councilor Krzmarzick seconded the motion and the motion carried with 4-0 votes.

Councilor Pelzel called for the First Reading of Ordinance #191 Amending Part of City Code Section 5-4, "Animal Control". Eliminating unnecessary paperwork and licensing fees for city residents.

Councilor Pelzel made a motion to approve the conditional use permit for the property located at 619 Main Street East to allow residential use of the facility in a business industrial zone. Councilor Stevermer seconded the motion. Councilor Stevermer then amended the motion to approve the conditional use permit to also require the removal of the City Limits business sign and locate property pins. Motion was seconded by Councilor Pelzel and amendment passed with 4-0 votes. Initial motion was then voted on with the addition of the amendment and passed 4-0.

Councilor Pelzel made a motion to deny the variance request for a pole style building attached to the house located at 200 5<sup>th</sup> Ave SE, Sleepy Eye. Councilor Krzmarzick seconded the motion and the motion carried 4-0.

Councilor Krzmarzick made a motion to allow the full wrap around porch to replace two existing separate porch structures at 400 Walnut SE. Along with this motion is the stipulation that there can never be a roof added onto the porch. The house is located in the setback. The uniqueness is the house is old and existing, not owners fault it is in the setback. The line of sight is not a concern. Councilor Windschitl arrived at Council Meeting during this discussion. Councilor Andres seconded the motion and the motion carried with votes 5-0.

Councilor Andres moved to approve Grizzly Canyon Antiques to install a sign in front of their building that extends into the right of way. Councilor Stevermer seconded the motion and the motion carried 5-0.

Attorney Groen reported on the following:

- A. Councilor Stevermer called for Second Reading of Ordinance #189 An Ordinance Selling Real Estate to Cory and Angela Domeier. The cost of the lot will be \$59,000.00. Councilor Krzmarzick seconded the motion and the motion carried 5-0.
- B. Councilor Windschitl made a motion to approve Resolution 13-2021.

### **RESOLUTION 13-2021**

Lot Split for Elm Street Storage LLC

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, Elm Street Storage L.L.C., a Minnesota limited liability company (hereinafter collectively “ESS”) is the owner of Lot 1, Block 4, of Sleepy Hollow Fifth Addition, City of Sleepy Eye, Brown County, Minnesota; and

WHEREAS, ESS 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 4, of Sleepy Hollow Fifth Addition, City of Sleepy Eye, Brown County, Minnesota; also known as Lot 1, Block 4, of Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, 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 July 13, 2021.

Dated: July 13, 2021

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

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

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

- C. Councilor Andres moved to approve Resolution 14-2021

### **RESOLUTION #14-2021** **ESTABLISHING FEES FOR SPECIAL USE VEHICLES** **IN THE CITY OF SLEEPY EYE**

Be it resolved, that the City Council for the City of Sleepy Eye (hereinafter City), hereby has established the following fee schedule as it relates to the Special Use Vehicle Ordinance:

## Special Use Vehicle Fees

Three-year permit	\$50.00
Duplicate permit	\$25.00

I certify that the above resolution was adopted by the City Council of the City of Sleepy Eye on July 13, 2021.

\_\_\_\_\_/s/Wayne Pelzel\_\_\_\_\_  
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 July 13, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: July 13, 2021

\_\_\_\_\_/s/Michelle Strate\_\_\_\_\_  
Michelle Strate, City Clerk

Councilor Krzmarzick seconded the motion and the motion carried 5-0.  
City Engineer David Palm reported on the following:

- A. 2020 Project.
- B. 12<sup>th</sup> Avenue Project. Small punch list to fix. Centerpoint did the gas line. They disrupted grass seed that was planted and Centerpoint is now responsible for that.
- C. 1<sup>st</sup> Ave/St. Mary's Street – Still working with RR on water main crossing.
- D. Airport –request for funding is on their docket. It is for acquiring a little extra property.

City Manager Report

- A. Councilor Windschitl moved to approve Resolution 15-2021.

### **RESOLUTION No. 15-2021**

Resolution of support for the Sleepy Eye Dyckman Free Library's Grant Application to the Minnesota Department of Education for Library Construction funding.

**WHEREAS**, The Sleepy Eye Dyckman Free Library has identified through past facility studies the need for numerous repairs including roof repair, window repair and refinishing in 1999 addition, carpet replacement in 1999 addition, floor tile repair of main entrance and a updating of service desk; and return to hardwood floors of 1900 original portion of the library.

**WHEREAS**, The Dyckman Free Library is pursuing an application for a Library Construction Grant from the Minnesota Department for education for \$55,000 for the cost of these repairs; and

**WHEREAS**, The total cost estimate for this project is \$110,000 with \$55,000 committed in matching funding from the City of Sleepy Eye cash reserves;



August 10, 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 10<sup>th</sup> day of August, 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Gary Windschitl, Douglas Pelzel, Nathan Stevermer, Scott Krzmarzick and Christina Andres 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 Matt Miller and City Clerk Michelle Strate.

Councilor Andres moved to approve the minutes of the July 13, 2021 Regular Meeting. Councilor Windschitl seconded the motion and the motion carried with 5-0 vote.

Councilor Pelzel made a motion to approve the extension of the balloon payment with Sleepy Eye Lodging. Jeff Ruhr was present asking for the extension, due to the decrease in revenue with the COVID 19 pandemic. The extension is for 12 months and Sleepy Eye Lodging will be responsible for the principal payment plus ½ of the interest at that time. Councilor Krzmarzick seconded the motion and the motion carried 5-0.

Councilor Windschitl made a motion to approve Resolution 16-2021.

RESOLUTION #16-2021

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 Sleepy Eye Fire Department:

<u>Name of Donor</u>	<u>Amount</u>	<u>For/In Memory of</u>
United Farmers Co-op	\$2,477.07	Equipment Maintenance/training

**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 August 10<sup>th</sup>, 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 August 10th,2021 in accordance with the Charter Provisions and state laws provided therefore.



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

/s/Russell Elston\_\_\_\_\_  
Russell "Bob" Elston, City Manager

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

- C. Councilor Windschitl moved to approve the Purchase Agreement to purchase 117 2<sup>nd</sup> Ave SW for \$200,000.00. Councilor Stevermer seconded the motion and the motion carried 5-0.

City Engineer Matt Miller reported on the following:

- A. 2020 Project. Week of August 23 will start with finishing the final layer of blacktop on all streets. Completion date is September 30, 2021.
- B. 12<sup>th</sup> Avenue Project. Completion date is August 31, 2021.
- C. 1<sup>st</sup> Ave/St. Mary's Street.

City Manager Report

- A. Finance Committee meetings to discuss budget are set for: August 11, August 25, September 1 and September 8. All prior to the September 14<sup>th</sup> regular meeting.
- B. Councilor Pelzel made a motion to approve the closing of the alley behind Sleepy Eye Brewing for Oktoberfest. Councilor Krzmarzick seconded the motion and the motion carried 5-0.

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

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

There was no other business.

The meeting was properly adjourned at 7:24 p.m.

\_\_\_\_\_  
Wayne Pelzel, Mayor

\_\_\_\_\_  
Michelle Strate, City Clerk

September 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 14<sup>th</sup> day of September, 2021 per due call and notice. Mayor Wayne Pelzel and Councilors Gary Windschitl, Douglas Pelzel, Nathan Stevermer, and Scott Krzmarzick were present. Councilor Christina Andres was absent. 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.

Chief Andres introduced the two new permanent part-time police officers, Issac Froehlich and Taylor Bolinger.

Councilor Stevermer moved to approve the minutes of the August 10, 2021 Regular Meeting. Councilor Krzmarzick seconded the motion and the motion carried with 4-0 vote.

Councilor Pelzel made a motion to approve Resolution 18-2021.

RESOLUTION #18-2021

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 Sleepy Eye Police Department:

<u>Name of Donor</u>	<u>Amount</u>	<u>For/In Memory of</u>
Sleepy Eye Sportsmen's Club	\$1,000.00	Body Camera

**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 September 14<sup>th</sup>, 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 September 14<sup>th</sup>, 2021 in accordance with the Charter Provisions and state laws provided therefore.

Dated: September 14<sup>th</sup>, 2021

/s/Michelle Strate  
Michelle Strate, City Clerk

State of Minnesota )  
 )ss.  
County of Brown )

This instrument was acknowledged before me on September 14<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.

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Notary Public

Councilor Stevermer seconded the motion and the motion carried 4-0.

Councilor Stevermer made a motion to approve three new firemen to the Sleepy Eye Fire Department, upon passing of their physical and fire training. Kyle Borth, Dylan Wersal and Nick Martinka. Councilor Windschitl seconded the motion and the motion carried 4-0.

Councilor Pelzel made a motion to grant the dance permit for Sleepy Eye Brewing Company for September 25<sup>th</sup> and waiving the requirement of security per Chief Andres. Councilor Krzmarzick seconded the motion and the motion carried 4-0.

Attorney Groen reported on the following:

A. Councilor Krzmarzick made a motion to approve Resolution 19-2021.

RESOLUTION #19-2021

RESOLUTION AUTHORIZING TERMINATION OF A DEVELOPMENT AGREEMENT  
AND AUTHORIZING EXECUTION OF A TERMINATION AGREEMENT

A. WHEREAS, the City of Sleepy Eye, Minnesota (the "City"), and Frontier Labs MN LLC (the "Developer") entered into a Contract for Private Development/Business Subsidy Agreement, dated as of July 15, 2018, and duly recorded in the Office of the County Recorder in and for Brown County, Minnesota, on December 31, 2018, Document No. 418822 (the "Development Agreement"), in connection with the planned construction of a new two-story laboratory and agricultural warehouse facility with associated office space, of approximately 60,000 square feet (the "Project") on the Property (all capitalized terms used but not defined herein are as defined in the Development Agreement) by the Developer; and

B. WHEREAS, pursuant to Section 4.1(a) of the Development Agreement, the City conveyed and transferred the Property to the Developer for a cost of \$1, having estimated the fair market value of the Property to be \$62,500, thereby granting the Developer a business subsidy of \$62,499; and

C. WHEREAS, the Developer failed to construct the Project on the Property no later than August 1, 2021, in substantial accordance with the Development Agreement as required pursuant to Sections 3.1 and 3.3 of the Development Agreement; and

D. WHEREAS, the Developer has agreed to convey and transfer the Property back to the City; and

E. WHEREAS, the Developer and the City have determined to enter into a Termination of Development Agreement (the "Termination Agreement") providing for the termination of the Development Agreement on the date that said Property is conveyed and transferred back to the City; and

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

1. Pursuant to the terms of Section 6.2 of the Development Agreement, the City hereby terminates and cancels the Development Agreement, effective as of the date that the Developer conveys and transfers the Property back to the City (the "Transfer Date"), and the Developer and the City shall be released from all of their respective duties, obligations and responsibilities under the Development Agreement as of the Transfer Date.

2. The City Council hereby approves the Termination Agreement in substantially the form submitted, and the Mayor and the City Manager are hereby authorized and directed to execute the Termination Agreement on behalf of the City, with such modifications, deletions, and additions thereto as may be necessary and appropriate and approved by the officials of the City authorized by this Resolution to execute the Termination Agreement. The execution of the Termination Agreement by the appropriate officers of the City shall be conclusive evidence of the approval of the Termination Agreement in accordance with the terms hereof.

Councilor Pelzel seconded the motion and the motion carried 4-0.

B. Councilor Stevermer called for First Reading of Ordinance #192 To Replat New Lot 1, Block 1, Snow 5<sup>th</sup> Addition

City Engineer David Palm reported on the following:

- A. 12<sup>th</sup> Avenue Project. Partial Pay Estimate #12. Working on small punch list.
- B. 2020 Project. Paving crew is finishing. Partial Pay Estimate #9.
- C. 1<sup>st</sup> Ave/St. Mary's Street. St. Mary's and 3<sup>rd</sup> Avenue are completed.
- D. Airport. Signage has been ok'd and can be ordered. No commitment from aeronautics on 3.2 acres of land purchase

City Manager Report

- A. Councilor Windschitl made a motion to approve the preliminary 2022 budget with increase of 5.3%. Councilor Pelzel seconded the motion and the motion carried 4-0.
- B. Councilor Windschitl called for First Reading of Ordinance #193 To Correct Property Lines around Storm Pond at 6<sup>th</sup> and Birth NE.
- C. A petition was presented to pave the alley behind SE Brewing from east to west. All signatures were obtained but two and SE Brewing to pick up the cost for those two. Councilor Krzmarzick made a motion to approve and Councilor Stevermer seconded the motion and the motion carried 4-0.

Councilor Pelzel made a motion to approve the Police Report and Cash Fund Balances. Councilor Krzmarzick seconded the motion and the motion carried 4-0.

Councilor Stevermer made a motion to approve the payment of bills. Councilor Windschitl seconded the motion and the motion carried 4-0.

There was no other business.

The meeting was properly adjourned at 8:00 p.m.

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Wayne Pelzel, Mayor

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Michelle Strate, City Clerk



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.

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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

November 9, 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 6:00 p.m. on the 9<sup>th</sup> day of November, 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.

The Assessment hearing was opened at 6:00 p.m. City Engineer David Palm presented the information and costs of the 2020 Project, 12<sup>th</sup> Avenue Project and 1<sup>st</sup> Avenue Project. One citizen, Don Domeier, 400 Summit St SE, requested relief on the 2020 Project. Don reconstructed his driveway approximately 2 years ago and spent \$10,000. There was also a bit of staining on his driveway by a temp water pipe and gravel ramp that was strung across his driveway during the construction process. He was now being assessed for new concrete and was requesting relief in the amount of \$2,000.00. No relief was granted. There were numerous questions from other citizens, however no other relief requested. The Assessment Hearing was closed at 6:56 p.m.

The regular City Council Meeting began at 7:00. Councilor Pelzel moved to approve the minutes of the October 12, 2021 Regular Meeting. Councilor Windschitl seconded the motion and the motion carried with 5-0 vote.

There was an addition to the Council agenda of Marty Seifert from the Coalition of Greater Minnesota Cities spoke regarding the LGA and other legislative issues happening at the State level.

Councilor Pelzel moved to approve Resolution 29-2021.

RESOLUTION No. 29-2021

WHEREAS, pursuant to proper notice duly given as required by law, the City Council of the City of Sleepy Eye, MN, has met and heard and passed the proposed assessment for the 2020-2021 Street and Utility Project, location as described in said assessment roll as prepared by Bolton & Menk, Inc., and dated 11-9-2021.

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

1. Such proposed assessments, a copy of which is attached hereto and made a part of thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the improvement in the amount of the assessment levied against it.
  2. All amounts for such assessments will be due and payable without interest up to thirty days from this date. 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 of 3% per annum from the date of adoption.
  3. The City Clerk shall file the assessment rolls pertaining to this assessment in the City office and shall certify to the County Auditor as may be required by law the total amount of the assessment of land included in the assessment roll.
  4. Said Assessment is in accordance with M.S. Chapter 429 and the City Charter, Chapter VIII.
- Adopted by the City Council this 9th day of November 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 Windschitl moved to approve Resolution 30-2021.

RESOLUTION No. 30-2021

WHEREAS, pursuant to proper notice duly given as required by law, the City Council of the City of Sleepy Eye, MN, has met and heard and passed the proposed assessment for the 12<sup>th</sup> Avenue/St. Mary's Street and Utility Project, location as described in said assessment roll as prepared by Bolton & Menk, Inc., and dated 11-9-2021.

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

1. Such proposed assessments, a copy of which is attached hereto and made a part of thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the improvement in the amount of the assessment levied against it.
2. All amounts for such assessments will be due and payable without interest up to thirty days from this date. 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 of 3% per annum from the date of adoption.
3. The City Clerk shall file the assessment rolls pertaining to this assessment in the City office and shall certify to the County Auditor as may be required by law the total amount of the assessment of land included in the assessment roll.
4. Said Assessment is in accordance with M.S. Chapter 429 and the City Charter, Chapter VIII. Adopted by the City Council this 9th day of November, 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 Krzmarzick moved to approve Resolution 31-2021.

RESOLUTION No. 31-2021

WHEREAS, pursuant to proper notice duly given as required by law, the City Council of the City of Sleepy Eye, MN, has met and heard and passed the proposed assessment for the CSAH 35/First Avenue Street and Utility Project, location as described in said assessment roll as prepared by Bolton & Menk, Inc., and dated 11-9-2021.

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

1. Such proposed assessments, a copy of which is attached hereto and made a part of thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the improvement in the amount of the assessment levied against it.
2. All amounts for such assessments will be due and payable without interest up to thirty days from this date. 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 of 3% per annum from the date of adoption.
3. The City Clerk shall file the assessment rolls pertaining to this assessment in the City office and shall certify to the County Auditor as may be required by law the total amount of the assessment of land included in the assessment roll.
4. Said Assessment is in accordance with M.S. Chapter 429 and the City Charter, Chapter VIII. Adopted by the City Council this 9th day of November, 2021.





This instrument was acknowledged before me on November 9<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 Pelzel seconded the motion and the motion carried 5-0.

Councilor Windschitl made a motion to approved the following Tobacco Licenses: Casey's Retail Co.; Janu-4 LLC; Scott J. Meyer; Staples Enterprises Inc. Councilor Krzmarzick seconded the motion and the motion carried 5-0.

Councilor Andres made a motion not to object a Gambling Permit for 3M Club for 12/11/2021. Councilor Stevermer seconded the motion and the motion carried 5-0.

Councilor Pelzel made a motion to approve Resolution 28-2021

**RESOLUTION # 28-2021**

**AUTOHRIZATION TO EXECUTE MINNESOTA DEPARTMENT OF TRANSPORTATION  
AIRPORT MAINTENANCE AND OPERATION GRANT CONTRACT**

Be it resolved by the City of Sleepy Eye as follows:

1. That the state of Minnesota Contract Number 1047554, "Airport Maintenance and Operation Grant Contract" at the Sleepy Eye Municipal Airport is accepted.
2. That the Mayor and City Clerk are authorized to execute this Contact and any amendments on behalf of the City of Sleepy Eye.

**CERTIFICATION**

STATE OF MINNESOTA

COUNTY OF BROWN,

I certify that the above Resolution is a true and correct copy of the Resolution adopted by the City Council of the City of Sleepy Eye at an authorized meeting held on the 9<sup>th</sup> day of November 2021 as sown by the minutes of the meeting in my possession

/s/Michelle Strate  
Michelle Strate - City Clerk

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

Attorney Groen reported on the following:

- A. Andres moved to approve a Lease Agreement with Pap Tango Easter Shrimp LLC. The 10-year Lease Agreement will allow for them to use the property owned by the City to access his Ponds behind the former DelMonte building. Councilor Pelzel seconded the motion and the motion carried 5-0.
- B. Councilor Krzmarzick called for First Reading of Ordinance #194 An Ordinance Establishing Snow Fifth Addition.
- C. Councilor Pelzel made a motion to approve Resolution 32-2021

**RESOLUTION NO. 32-2021**

A RESOLUTION SETTING A PUBLIC HEARING ON THE PROPOSED  
VACATION OF MAPLE STREET SE PREVIOUSLY DEDICATED IN SNOW  
FOURTH ADDITION

WHEREAS, the City Council pursuant to Minnesota Statute § 412.851 desires to consider the vacation of Maple Street SE, previously dedicated in Snow Fourth Addition, which lies between 12<sup>th</sup> Avenue SE in the City of Sleepy Eye and 260<sup>th</sup> Avenue in Home Township.

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

The City Council will consider the vacation of such street and a public hearing shall be held on such proposed vacation on the 14th day of December, 2021, in the Council Chambers located at 200 Main Street East, Sleepy Eye, at 7:00pm; and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Passed by the City Council of Sleepy Eye, Minnesota this 9th day of November, 2021.

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

Mayor

Attested:

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

City Clerk

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

City Engineer David Palm reported on the following:

- A. Small punchlist to be completed on 2020 Project and 12<sup>th</sup> Avenue Project.
- B. 1<sup>st</sup> Ave/St. Mary's Street. Sewer and water are done, working to finish sidewalks
- C. Airport. Working with owner on land purchase or easement

City Manager Report

- A. Set a finance meeting for November 17, 2021 at noon

Police Chief Andres reported that our two part-time officers are now fulltime officers upon David Gordon leaving the police department.

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 7:52 p.m.

\_\_\_\_\_  
Wayne Pelzel, Mayor

\_\_\_\_\_  
Michelle Strate, City Clerk

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 14<sup>th</sup> 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 12<sup>th</sup> Avenue SE in the City of Sleepy Eye and 260<sup>th</sup> 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 14<sup>th</sup>, 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<sup>th</sup>,2021 in accordance with the Charter Provisions and state laws provided therefore.

Dated: December 14<sup>th</sup>, 2021

/s/Michelle Strate

Michelle Strate, City Clerk

State of Minnesota )  
 )ss.  
County of Brown )

This instrument was acknowledged before me on December 14<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 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 2<sup>nd</sup> 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 3<sup>rd</sup> 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 3<sup>rd</sup> 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 5<sup>th</sup> 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 2<sup>nd</sup> Addition.

City Engineer David Palm reported on the following:

- A. Final payment for 2020 Project and 12<sup>th</sup> Avenue Project.
- B. 1<sup>st</sup> 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