

CITY OF FOLEY MINNESOTA
REGULAR CITY COUNCIL MEETING – July 19, 2016

The July 19, 2016, the City Council meeting was called to order at 5:30 p.m. at City Hall.
Members Present: Mayor Dave Mosford, Council Members Kris du'Monceaux, Brian Weis, Leslie LeCuyer and Gerard Bettendorf.

The pledge of allegiance was recited.

Approve the agenda – Motion made by Bettendorf, seconded by LeCuyer, to approve the agenda. Motion carried.

Mayor's Comments & Open Forum: Roger From, 31 6th Ave; He commented that he had spent many years working in construction as an equipment operator and believes the City loader has had very light service moving snow and that the City does not need a loader.

Consent Agenda: Motion made by LeCuyer, seconded by duMonceaux, to approve the consent agenda items: Fire Dept. annual SC-16 report, Resolution to accept donation of office partitions Frandsen Bank, Lease payoff Impala Squad car Equipment Fund up to \$5,400.00, and Payment of the list of bills. Motion carried.

Public Hearing American Legion, Interim Use Permit: Joe Kaproth, Legion Commander, provided a summary of the request for temporary parking at 101 4th Avenue during construction. General discussion on use, monitoring and fencing was covered. Mayor called for additional comment and hearing none closed the hearing. Motion was made by LeCuyer, seconded by duMonceaux, to approve the Interim Use Permit. Motion carried with Mosford abstaining.

Transient Merchant Application: Barbian indicated that the application has been withdrawn.

Public Safety Hwy 23: The Public Safety Committee recommendation is to provide an integrated push button crossing at Broadway or 4th Ave and a speed indicator east of Penn as covered in the Memo summarized by Barbian. The recommendation covered the school consideration to fund up to \$10,000 for the crossing equipment and \$5,000 for the speed indicator with permitting and installation by the City. Rick Olson, Finance Director with the School District, spoke of the safety concerns crossing Hwy 23 and supported presenting the initiative to the School Board for consideration. He said past discussion have been positive to find a resolution to improve pedestrian safety. He recognized the high cost of an overhead beacon at 8th but thought that forward progress on crossing is needed. Discussion also covered a road narrowing MNDOT study, permitting and the safety effort.

Motion was made by duMonceaux, seconded by LeCuyer, to complete the installation of speed indicators, a Broadway crossing and support participating in the MNDOT lane narrowing pilot study with the School District funding up to \$10,000 in equipment at Broadway, \$5,000 for speed indicator signs at 8th street and the City supporting participation in the MNDOT study, taking responsibility for permitting and installation.

Alley Repair: Pappenfus gave an overview of the water problem in the alley behind City Hall since rebuilding the alley 10 years ago and then repairing two years after that with problems still occurring. He went on to recommend the Council have SEH survey and establish a plan to

correct the problem. Jon spoke about the topography work and planning needed at an approximate cost of \$3,500.00.

Mayor then asked about the alley inquired about by Terri Stroeing behind 2nd. Mark indicated that public works was planning to grade/remove material and grading over with millings within the week. He thought this would provide a good solution.

Motion made by Bettendorf, second by Weis, to approve the topography and design work for the alley behind City Hall. Motion carried.

Police Dept. eligibility list & hiring: The Chief gave an overview of the hiring process. There were 18 applicants for the part-time officer openings. Ten candidates were selected to interview with nine candidates taking part. The interview panel has six candidates recommended to establish an eligibility list and the top two are to be given contingent offers of part-time employment. Discussion occurred. Motion was made by LeCuyer, seconded by duMonceaux, to establish the eligibility list of Shania Paulson, Todd Ege, Jamie Green, Stephen Bohmert, Dylan Kleinsasser and Ashley Holtz and make contingent offers subject to passing a background check and fitness test to Shania Paulson and Todd Ege. Motion carried. Officer training is to follow in August.

Industrial/Business Park lots: Staff is considering a re-platting of the area of a certificate of survey. Upon determination it will be brought back to the council.

Case Loader replacement: Mayor Mosford asked Mark Pappenfus if he wished to withdraw the request for the loader. Mark indicated that the capital item has been planned for quite a while and he believes it should move forward. Bettendorf spoke in support and the value of rotating equipment. Motion made by Bettendorf, seconded by duMonceaux, to proceed to try out loaders and request bids. Motion carried with Mosford and Weis voting no.

Solar Garden: Barbian indicated that the County is holding a public hearing and looking for comment considering an interim conditional use permit. The permit is for 27 years allowing the panels on Hwy 23 & 4. Mayor indicated he did not think it was a good use of land and other members of the Council voiced a variety of concerns. Motion was made by duMonceaux, seconded by Bettendorf, to object to the issuance of the permit for the following reasons 1) It will create extra cost if the city has to acquire a portion of the property for a public purpose (utility extension) 2) it is an impediment to the orderly development and growth of the City of Foley by creating a road block (physical and assessment) for utility extension 3) it is not the highest and best use for the property and 4) it is not appropriate from an aesthetic perspective—it is industrial in nature. Motion carried.

Department Reports

Police: Chief McMillin reported there has been quite a bit of activity with this weekend having four domestics, the hiring of officers and a request for \$13,400.00 in training reimbursement being submitted. LeCuyer added that the Public Safety Committee discussed the value of a joint training exercise taking place with police, fire and public works. duMonceaux asked if this would involve citizens. McMillian indicated that a citizen training is a big commitment and involves many man hours. Departmental coordination with other jurisdiction is a current effort.

Public Works: Pappenfus provided an overview - working on joint county overlay on Broadway, manhole infiltration issues, score grant, asked about credit for extra time worked and gave an overview of 4th Avenue reconstruction.

Engineering Jon Halter: the 4th Avenue project is on schedule. The temporary water services are going in place, the infiltration is being worked though with each building and progress is occurring in spite of unearthing a considerable amount of a lumber road underlayment causing an overrun in the use of fill which becomes a County responsibility.

City Attorney: Ripple reported the draft Development Agreement and draft Interim Discharge Permit are proceeding in anticipation of this being at the August Council meeting for PouchTec. He also covered that the union representatives have not been in contact with Attorney Steckman making contact. LeCuyer expressed frustration with a lack of progress and how it has delayed discussions with other employees.

Administrator: Barbian reported that the Planning Commission meeting is being held July 25 to allow more time for the plans to be reviewed by staff and work with Rice Builders and PouchTec. In looking to next years capital budget it would be good to see the County advance the agreement. He mentioned that Mosford and LeCuyer would be meeting on July 28 to consider various items to be brought back to the Council.

Open Form: There were no comments.

Mayor Mosford then closed the meeting to discuss the sale of Industrial Park property per MN state statute 13D.05 (b)(1).

The open secession reconvened having discussed the sale of property to Pouch Tec Industries for purposes of allowing the company to continue to grow.

The fees associated with a SAC and WAC was discussed to be part of a development agreement.

Motion made by Bettendorf, seconded by LeCuyer, to adjourn at 6:40 p.m. Motion carried.

_____ Robert Barbian, Administrator