

CITY OF FOLEY, MINNESOTA
REGULAR CITY COUNCIL MEETING – August 1, 2017

The Foley City Council held a regular meeting on August 1, 2017, at 5:30 p.m. at the Foley City Hall.

Members Present: Mayor Gerard Bettendorf, Councilmembers Jeff Gondeck, Kris du'Monecaux, Brian Weis and Gary Swanson.

Members Absent: None

The pledge of allegiance was recited.

Motion by Gondeck, seconded by du'Monceaux, to approve the agenda. Motion carried, unanimous.

Consent Agenda

Motion by Swanson, seconded by du'Monceaux, to approve the consent agenda, which includes the following:

- Approve minutes of July 11, 2017.
- Approve bills paid for by checks #49801 - #49855.
- Motion carried, unanimous.

Overland Group - Dollar General Rezoning and Site Plan Review

Mayor Bettendorf recessed the regular city council meeting at 5:31 p.m. to conduct the public hearing on the rezoning request for PID's 130049750 & 130049751. No one spoke for or against the applications. Mayor Bettendorf reconvened the regular city council at 5:32 p.m.

Motion by Gondeck, seconded by Swanson, to adopt Resolution #2017-19 Rezoning Developer and City Lot. Motion carried, unanimous.

The site plan was reviewed with conditions of staff. Motion by Gondeck, seconded by du'Monceaux, to approve the site plan with conditions of staff as presented. Motion carried, unanimous.

Progressive Builders/Sherburne Land LLC - Variance Request

Mayor Bettendorf recessed the regular city council meeting at 5:33 p.m. to conduct the public hearing on the variance request. No one spoke for or against the application. Mayor Bettendorf reconvened the regular city council meeting at 5:35 p.m.

Motion by Swanson, seconded by Weis, to adopt Resolution #2017-18 Approving Variance Request. Motion carried.

Accessory Building Zoning Ordinance Amendments

Mayor Bettendorf recessed the regular city council meeting at 5:35 p.m. to conduct a public hearing on the proposed zoning ordinance amendments. No one spoke for or against the amendments. Mayor Bettendorf reconvened the regular city council meeting at 5:36 p.m.

Motion by Gondeck, seconded by du'Monceaux, to adopt Ordinance 429 - Amending Zoning Ordinance Sections 4 & 13. Motion carried, unanimous.

Discussion on Gopher Avenue Reconstruction

Councilmember Swanson expressed concern over a city commitment before any clean-up or commitment from a development were to occur. City Engineer Jon Halter gave an overview of the process of doing a street project. Bettendorf expressed concern with the city's expenditures and nothing happening. Ryan Schmit, owner of the south side trailer park introduced himself and his desire to redevelop the property. Bettendorf indicated a desire to see clean-up before city investment. Schmit asked for preliminary estimates on costs, which the city engineer reviewed. Brunn gave an overview of the need for residential lots. Halter elaborated the need to make a decision by September. Motion by Bettendorf, seconded by Swanson, to table this discussion until the September council meeting. Motion carried, unanimous.

Discussion on Birch Drive Drainage Improvements

City Engineer Jon Halter gave an overview of the need for drainage improvements on many streets of the city. Birch Drive is a particularly troublesome spot. Staff reviewed a proposal to cut out the north portion of the road and installing drain tile to help remove the water. Bettendorf asked if property owners could bury their hoses and connect directly into the drain tile. Halter indicated this design would allow for that potential. The project could possibly be completed this fall. Gondeck asked about assessments and Halter indicated this would not be an assessable project. Motion by Swanson, seconded by du'Monceaux, to proceed with obtaining quotes for the project. Motion carried, unanimous.

Mayor's Comments and Open Forum

Larry Nadeau, 161 4th Avenue S, provided a compliment to the city's changes to the accessory building ordinance and for the proactive work on street projects. Nadeau asked the council to consider resources in road maintenance to extend the life of the newly constructed roads.

Ryan Schmit, owner of North Mobile Home Park, discussed the placement of a trailer on city right of way and asked the council if it could be left for an extended period of time. City Attorney Adam Ripple commented on city liabilities and encouraged the council to require it to be removed. If the council desires to work with the land owner, Ripple recommended an indemnification agreement be drafted as soon as possible. Bettendorf and du'Monceaux expressed concern with it remaining and asked for it to be removed. Swanson asked about the condition of existing trailers in the park. Ripple requested a timeline for removal and the city decided it should be removed within 7 days. Staff will send a letter to the dealer immediately.

Department Reports

Police Chief Katie McMillin updated the council on the monthly law enforcement report. McMillin also indicated a desire to work the SuperBowl and having the council address a joint powers agreement in the future. Ripple indicated he has reviewed the agreement and expressed no concerns.

City Attorney Adam Ripple had not report.

City Engineer, Jon Halter indicated some survey work is being done on Dewey.

Mark Pappenfus, Public Works Director, updated the council on summer activities. Pappenfus also indicated that 22 letters have been sent on clean up or properties that have not yet been addressed. They will have until Sept. 1 or Oct. 1 to complete repairs. Swanson asked about comments on the demonstration project.

City Administrator Sarah Brunn updated the council on the rescheduling of the union meeting, upcoming planning activities, budget work and the chamber golf tourney.

New Business

Motion by du'Monceaux, seconded by Swanson, to not waive the statutory liability limits for the city's insurance renewal. Motion carried, unanimous.

Quotes were reviewed to sell and move the rental house. Motion by Gondeck, seconded by Swanson, to accept the high quote from Anderson and finish the project by expensing additional funds to complete the basement and sewer work. Motion carried, unanimous.

Motion by du'Monceaux, seconded by Gondeck, to adjourn at 6:13 p.m. Motion carried, unanimous.

Sarah A. Brunn, Administrator