

CITY OF FOLEY MINNESOTA  
REGULAR CITY COUNCIL MEETING – Aug. 2, 2016

The Aug. 2, 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, and Gerard Bettendorf. Absent: Councilmember Leslie LeCuyer

The pledge of allegiance was recited.

**Approve the agenda** – Motion made by Bettendorf, seconded by du'Monceaux, to approve the agenda. Motion carried.

**Mayor's Comments & Open Forum:** Roger From, 31 6<sup>th</sup> Ave, offered comments regarding current spending of the City Council.

**Consent Agenda:** Motion made by du'Monceaux, seconded by Bettendorf, to approve the consent agenda items: Meeting Minutes (July 5 & 19, 2016); Liability Coverage-Waiver, not waiving monetary limit established by statutes; granting waiver per ord. 310.24, upon receipt of \$100.00 per 1/4., 121 Hill; and Payment of the list of the bills. Motion carried.

**Coalition of Greater Minnesota Cities, Carolyn Jackson, Senior Lobbyist, Flaherty and Hood:** Jackson thanked the Council for Foley joining the Coalition last year. She gave an overview of their organization and made a presentation of what happened in the Minnesota State Legislature in 2016, including an overview of the Bonding year efforts. Jackson also invited the council to attend the Coalition's fall conference in November.

**Pouch Tec Industries:** Bob Barbian directed the council to the documents in front of them and introduced Bob Jones, owner of Pouch Tec industries. Bob Jones gave an overview of the history of the company and outlined the project. Increased in demand for Pouch Tec products has created a need for an expansion of the company's facilities at 347 Glen St. The proposed project would allow expansion up to 70,000 square feet over two phases, the first phase beginning in 2016.

Mayor Mosford opened the public hearing regarding the amendment to the Conditional Use permit and the variances (parking, set back and driveway width) for Pouch Tec Industries. Barbian directed the council to the memo that outlined phase 1 and phase 2 of the project. Both phases will be considered at the same time.

Sean Zappa, Operations Manager of Pouch Tec, spoke about the history of the company and how proud he was to be part of a company that has product distributed across the country. The first phase of the project would be completed on land that is already owned by Pouch Tec. This would include expanding loading dock and a temporary employee parking area. Phase 2 would start in 2017 and would include an expansion of the facility's warehouse space. Phase 2 would also include the option of adding additional production space at a later date as the company continued to grow. The parking would remain crushed granite to provide easier access to the gas line for maintenance rather than digging up concrete. Variance is needed to accommodate the expansion given it will be only seven feet from the property line when completed. Zappa asked for questions.

Barbian added that the land purchase was reviewed by Benton County and it looks favorable as far as transferring the property to the city. Pouch Tec would then purchase the land from the city. Weis had asked a question to clarify where the new property lines would be after the purchase is complete.

With no further questions, Mayor Mosford invited comments from the gallery. Hearing no comments from the gallery, the public hearing was closed.

Resolution 2016-16 was introduced - adopting finding of fact and approving development agreement; amended conditional use permit; amended interim industrial wastewater discharge permit; variances and site plan for Pouch Tec Industries, LLC was introduced. Discussion followed regarding some finer points of the project and timing involved. A motion was made by du'Monceaux to move forward with Resolution 2016-16, Mosford seconded. Motion carried.

**Capital Planning and Budget for 2017:** Council members were directed to the document in their packet to begin planning for next year.

**Authorization to conduct feasibility study Dewey Street & side street:** Mark Pappenfus from Public Works and the city engineer explained the reason for the study, what areas would be covered, and the variances needed. Mosford made a motion to authorize the feasibility study, du'Monceaux seconded. Discussion followed on whether or not to include side streets in the study. Bettendorf mentioned he would like to see the side streets included. Discussion followed. du'Monceaux stated she would like to see the study include side streets, but also stressed the council would need to keep an eye on the funds required. Mosford agreed saying the council would need to stay focused on priorities. Barbian shared more information from the county and what had been discussed previously. Adding side streets would definitely increase the cost of the project. Weiss commented that the issue does need to be fixed and it's not getting any better. He also offered support for adding the side streets to the feasibility study. Council returned to the motion on the floor to move forward with the feasibility study including side streets. Motion carried.

**City Administrator Hiring Process:** Mayor Mosford opened the discussion, including the suggestion of extending the services of Bob Barbian, the current City Administrator, for another month. Barbian directed the council to the hiring process outlined in their packets. Interviews are scheduled for Aug. 16. The council agreed to interview the top five candidates beginning at 8:15 a.m. The top five candidate names will be released to the public. Discussion followed regarding extending the services of Barbian for another month and the reasons why an extension is being discussed. Discussion followed on when the new city administrator would be able to start. du'Monceaux expressed concern that the city always have someone in the city administrator position as well as leave time for a proper handoff (one week) between Barbian and the new administrator. Bettendorf said that the city will always have ongoing projects and he saw no reason to extend and suggested bringing in Rich Zimmer or Mary Kaproth on a temporary basis. Weis agreed. du'Monceaux stressed her concerns again stating that Barbian knows the details of the current projects and any temporary clerk would not know everything. Discussion followed. du'Monceaux made a motion to extend Barbian's time for one month with the possibility of another extension. Mosford seconded. Motion failed. Discussion on next steps followed, including who will serve as clerk for the election on Aug. 9 if Barbian's contract ends on Aug. 8. Discussion followed. Discussion tabled until a later date.

## **Department Reports: Police, Public Works, City Engineer, City Attorney, Pool & Administrator**

The City Engineer reported on the 4<sup>th</sup> Ave N project. The mainline for sewer is complete – currently working on the service connections. By the end of next week all of the utility work should be complete. Project is moving along smoothly.

Chief McMillin presented her call report. In the month of July, there were 259 calls. Speed enforcement was up. Medicals were down. One area of concern is that domestic disputes (the most dangerous type of calls for police officers) were up – 11 in July. Background checks have been completed for the two new part-time officers. They are scheduled to come in and complete the training process on Friday.

Mark Pappenfus, Director of Public Works, reported that PW is doing a lot of cement work around town such as handling trip hazards at Lion's Park as well as sewers on Penn Street. Pappenfus also mentioned the upcoming water study.

City Attorney, Adam Ripple, reported that he has been busy handling the Pouch Tec project as well as figuring out the transition for the new city administrator.

City Administrator, Bob Barbian, had nothing to present to the council.

**Open Forum:** Jim Moshier, 320 Birch Dr, encouraged hiring a city administrator with five to six years of experience. He also recommended the Dewey study also include 2<sup>nd</sup> and 3<sup>rd</sup> street because the construction traffic will wear out those roads.

**Old Business:** None presented.

**New Business:** Mayor Mosford brought up a problem with recycling and the lack of rules to follow for apartment buildings. He asked the city to take the step to requiring recycling. Discussion followed. Motion tabled by Bettendorf, seconded by du'Monceaux. Motion carried.

Motion to recess was made by Bettendorf, seconded by Weis, and to reconvene Aug. 5 at noon at City Hall in the Council Chamber to discuss extending Barbian's contract or appointing an interim city administrator. Motion carried with du'Monceaux voting no.

### **Aug. 5, 2016:**

The council reconvened on Friday, Aug. 5, at 12:00 p.m.

Members Present: Mayor Dave Mosford, Council Members Kris du'Monceaux, Brian Weis, and Gerard Bettendorf.

Mayor Mosford turned the meeting over to Gerard Bettendorf. Councilmember Bettendorf indicated that 10 – 20 hours a week at \$1,000 a week should be sufficient for an interim city administrator.

Adam Ripple, City Attorney, provided a basic interim agreement. He also spoke to David Brown Associates about providing administrative services.

A motion was made, seconded by Weis, to appoint Rich Zimmer as an interim city administrator as of Aug. 8 subject to signing and discussion. Ripple asked for clarification on terms. Motion carried with du'Monceaux voting no.

Bettendorf made a motion to adjourn, Weis seconded.

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Robert Barbian, Administrator  
(Richard Zimmer, Interim City Administrator)