

CITY OF FOLEY MINNESOTA
REGULAR CITY COUNCIL MEETING – February 2, 2016

The February 2, 2016 City Council meeting was called to order at 4:30 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.

Mayor Mosford went over changes to the agenda adding City Administrator review, Assistant City Administrator both in closed session, removing minutes from consent agenda and adding annual Appointments of City Engineer, City Attorney, Building Inspector and Acting Mayor.

Motion made by Bettendorf, seconded by Weis to approve the agenda with the changes as noted by Mosford. Motion Carried.

Motion by Mayor Mosford, seconded by Bettendorf to go into closed session at 4:40 to discuss the union contract labor negotiation. Motion Carried.

At 5:35 The Council convened into open session. In closed session the union contract was covered and Attorney Pamela Steckman was to make the revisions as directed by the Council, submit to the Union and have discussion go to the Personnel Committee.

Barbian provided an overview of the changes made to the agenda as covered at the start of the meeting. Discussion clarified the agenda order and City Administrator review and Assistant City Administrator items being discussed in closed session. Atty. Ripple stated statutes allow City Administrator Review to be in closed session but not aware of a rationale for the Assistant City Administrator to be in closed. The Mayor indicated it was a new position to be discussed. LeCuyer asked if there was background or previous discussions that had occurred. Motion made by Mosford, seconded by Weis to amend the agenda adding Assistant City Administrator as number 9. Motion Carried with LeCuyer and duMonceaux voting no.

Mayor Mosford welcomed the audience and asked for open form comments. No one spoke.

Motion by LeCuyer, seconded by Bettendorf to approve the consent agenda items: Transient Merchant Application Sara Liebeck, The Ice Cream Machine, St. John Catholic Church Application for exempt gambling permit, Resolution approving Silt Sock Site Plan & Calling for Public Hearing on Variance and bills submitted and added to pay. Motion carried.

Mayor Mosford opened the discussion of the minutes. Mosford indicated that the appointment of the City Attorney, City Engineer, Building Inspections and Acting Mayor should not have been in the minutes. Discussion occurred; other council members recalling the motion included Public Safety and all listed appointments above. It was noted the four appointments are on the agenda allowing discussion. A disagreement between Mosford and LeCuyer occurred. Motion made by LeCuyer, second by Bettendorf to have the minutes corrected adding the Fire Dept. Officers left off and reflect the Coalition discussed at the end of the meeting. Motion Carried.

Mosford opened the discussion of the appointments. Mosford made a motion, seconded by Weis to appoint Weis as Acting Mayor and Rajkowski & Hansmeier as City Attorney. duMonceaux indicated that the Rajkowski family are first cousins. LeCuyer stated that past practice of the

Council has been to put services out to bid, review proposals and have full discussion on selection. She asked why this is coming up, why change. duMonceaux agreed asked for more information. Bettendorf asked if there was a problem with the current services and did not see a need to change. Mosford indicated that Rajkowski is \$75.00 less per hour. Discussion followed. Bettendorf got confirmation that the Council could change an appointment at any time and if a member has a problem that information be gathered and provided to all members in advance in order that it can be discussed by all. Question was called. Motion failed with Mosford and Weis voting in favor.

Motion made by Mosford, second by Weis to appoint SEH as engineer. It was noted that the motion was not necessary as SEH as reflected in the minutes is the City Engineer. Motion made by Mosford, seconded by Weis to put building inspection services out to bid. Discussion occurred. LeCuyer inquired what the problem is and why we are discussing. She believes that if there is good reason that it be put out to bid for all to consider. Mosford brought up past legal issues and an irritated customer. The required bond was mentioned. Motion failed with Mosford and Weis voting in favor.

Department Reports:

Police Chief McMillin reported that there were 237 calls in January with a concern on controlled substances of cocaine and meth in the community. She covered she is working with Benton County Task force and covered report format fields added to show more specifics in the report. For example agency assists and special events are new. It was mentioned that traffic stops are finding additional issues such as warrants and drugs. This summer Foley is teaming up with the County and Rice to bring the Police Athletic League (PAL) to Foley to educate on team work.

Mark Pappenfus, Public Works Director reported that work is progressing on 4th Ave. N. that Jon will cover. That he is working with the Wastewater Engineer at SEH to bring year end flows and the I&I changes together to quantify the impacts. Mentioned water usage being down about 6 million gallons to ~ 82 million, score grant submitted, working on year end repairs and preparing for tonight's snow storm.

Jon Halter provided an update on 4th Avenue. Indicating that in a month or so final plans will be brought to the Council for approval. There are a number of details that are being worked though such as services etc. MNDOT has received the information on storm water permit to determine the City and County responsibility split. Plan to submit to MNDOT the variance to be heard at the March 24th meeting is advancing. Lighting work will start soon to get staff input and a few alternatives to the Council. The Forth & Dewey intersection did not meet warrants to have a four way stop although other steps to ensure sight distances will be taken. An informational meeting is being scheduled for February 17th from 5:30 to 7 to get project input and present. Jon brought up the concept of allowing temporary parking in the center of Dewey during construction as 4th Avenue would be blocked. Questions came up on posting limited term parking and a need to pass an ordinance to make it enforceable, times mentioned 7 to 5, 8 to 5 for two hours. To be covered at public meeting. The project asphalted would be applied in two layers over two seasons. Project is to start after Foley Fun Days and last about 2.5 months. Barbian mentioned the City is waiting on the County to receive the agreement on the joint reconstruction project.

Atty. Ripple covered previous workshop secessions on Council protocol and offered possible additional decorum secessions.

Barbian stated that the Housing Board needs to meet on the Rental Licensee process. Barbian was directed to select a date and time. Also covered is the upcoming legislative Action Days planned for March 17 and the value of obtaining LGA support. Members interested in attending are to let Barbian know. An update of the City website was covered with staff utilizing an outside designer and IT person to bring a better presence for the City web site.

Mayor Mosford asked for Open Forum Comments. Del Roy Kampa, 540 4th Avenue, commented about the strong smell of chloride in the water and that he could not drink.

No new or old business. The Assistant City Administrator position was brought up and stated as being removed from the agenda.

Motion made by Mosford, seconded by Bettendorf to conduct a performance review of the City Administrator in closed secession. Motion Carried.

The meeting reconvened in which the performance of the City Administrator occurred. A motion was made by LeCuyer seconded by Bettendorf to go into closed session to discuss Attorney Client privilege information. Motion Carried

Open session resumed at 8:21 at which time a Motion was made by Bettendorf, seconded by Weis to hold a City Administrator performance review on February 16th. Motion Carried.

LeCuyer summarized that the Council was to receive a copy of the position description in order that they can establish set goals and time lines to accomplish goals.

Motion made by Bettendorf, seconded by Weis to adjourn at 8:45 p.m. Motion carried.

Robert Barbian, Administrator