

CITY OF FOLEY MINNESOTA  
REGULAR CITY COUNCIL MEETING – January 5, 2016

The January 5, 2016 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.

Motion made by duMonceaux, seconded by LeCuyer to approve the agenda. Motion carried.

Mayor Mosford welcomed those in attendance and opened public comments. Jeff Gondeck addressed the Council indicating his appreciation for the honor of serving on the Public Safety Committee in the past, and his interest in serving in 2016. He spoke of his knowledge, interest and objectivity in serving on the committee.

Motion by LeCuyer, seconded by Bettendorf to approve the consent agenda items: December 15 minutes, retirement of firefighter Al Foss, resignation of Miles Seppelt from EDA, and Krista Hutchins from the Library Board, resolution of support for LGA, Public Safety Committee recommendation of greater use of part-time instead of full-time employees, 4th Avenue North resolution requesting variance from standard for State Aid Operation Project # 005-620-003, TAP application authorization, Fire Department appointment of Officers: Fire Chief, Mark Pappenfus; Assistant Fire Chief, Larry Nadeau; Captains; Rick Herbrand & Josh Beutz, & bill payment list. Motion carried.

Mayor Mosford opened the public hearing on liquor license applications for The Other Bar & Grill and Wonton Chinese Restaurant. Brian Wojciechowski introduced himself as the buyer of The Other Bar & Grill. He provided a brief background. Barbian indicated the Wonton Chinese Restaurant was planning to open soon. Chief McMillian indicated the background checks have been completed and found no issues. The Mayor asked for additional public comment. Hearing none, Mayor Mosford moved to close the public hearing, seconded by Weis. Motion carried.

Motion made by Bettendorf, seconded by Mosford to approve The Other Bar & Grill on sale, Sunday on sale, off sale & non-enclosed premises and Wonton Chinese Restaurant 3.2 liquor license applications. Motion carried.

Mayor Mosford asked for an overview of the 4<sup>th</sup> Avenue North petition. Barbian indicated the petition has been reviewed and provided to the Council. It exceeds the 35% minimum required signatures with 44% property owner signatures and no improprieties are apparent. Barbian further stated that Council action on the validity of the petition and decision to proceed with a feasibility report for the sidewalk/intersection treatments is in order.

Motion made by Bettendorf, seconded by Mosford to approve Resolution 2016-3 declaring adequacy of petition. Motion carried with Weis opposing.

Motion made by LeCuyer, seconded by duMonceaux to add the sidewalk and intersection enhancement to 4<sup>th</sup> Avenue North project. Discussion followed. Bettendorf exclaimed it is not in the interest of the City to include enhancements, he doesn't think it should be built, and it's not worth studying.

LeCuyer stated the maintenance cost at the intersection will be less with colored stamped concrete identifying the pedestrian areas that will not have to be regularly painted. She also stated that there is a widely held belief, as shown by the business owner petition and those who worked on a Downtown Plan, that the added treatment will help create the downtown as an attractive place for businesses. Bettendorf indicated the residents he's spoken to don't want it and that he does not believe it will make a difference to the downtown businesses or cause businesses to move here.

LeCuyer proposed the enhancements be put back into the project provided that 50% are funded through a grant and the balance covered locally. Weis voiced support for not adding extras and doubted it would make a difference. Mosford called the vote with LeCuyer and duMonceaux in favor, Bettendorf and Weis opposed, and Mosford abstaining. Motion failed.

LeCuyer requested Mayor Mosford reconsider his abstention on the vote and vote in favor. Bettendorf asked that he not reconsider his vote.

Mosford moved the discussion to annual appointments. Motion by Mosford, seconded by Weis to appoint all those on the Boards and Committee handout with the addition of Tom Kaproth and Mike Kasner to the Public Safety committee. Comments were heard regarding the new additions. Weis stated the biggest issue for the committee is the police force. Mosford amended the original motion, with Weis agreeing, to appoint Amanda Wilkin and remove Delroy Kampa. The appointments are:

Official Newspaper - Benton County News, Official Process Server - Benton County Sheriff, Health Officer - Dr. Kevin Stiles, Health Board Members - Charlotte Monroe and Jeannie Rajkowski, City Engineering Firm - Short Elliott Hendrickson, Inc., City Attorney - Rinke-Noonan, City Building Inspector - AllSpec Services, City Auditor - Schlenner & Wenner, Board of Equalization - Council members (Kris duMonceaux trained till 2017), Acting Mayor - Kris duMonceaux, Official Depository/Collateral - City Administrator, Bonding of the City Administrator – annual renewal, and Emergency Manager - Chief McMillin. Motion carried

Motion by LeCuyer, seconded by duMonceaux to appoint Wendy Ziwicki to the Library Board. Motion carried.

Motion by duMonceaux, seconded by Bettendorf to reappoint Judy Weis, Bill Bronder, Dave Mosford, and add Amanda Wilkin to the Planning Commission for three year terms. Motion carried.

Barbian stated there is an open seat on the EDA. In the audience, Rosalie Musachio offered to serve. Motion by LeCuyer, seconded by duMonceaux to appoint Rosaline Musachio to the EDA. Motion carried.

Employee policies & compensation was discussed. LeCuyer indicated that when the Council acted on this at the meeting in December, perhaps it was premature and she felt it was appropriate to approve nonunion employee step increases. Motion made by LeCuyer, seconded by Bettendorf to approve a step increase for all eligible non-union employees. Discussion followed. The 2013 adjustment covered three years and this adjustment is to cover one year (2016). The 2017 wages are to be covered in September of 2016 with budget. Also mentioned was a wage implementation study done in 1999 forming the basis of the steps. Motion called and carried. It was further covered that other non-union items may be considered at a later date.

Mayor Mosford called for the City Engineer report. Jon Halter stated the design of 4<sup>th</sup> Avenue North is advancing. A meeting is being planned to hear business owner thoughts on their access and begin to layout a schedule. The overall time line is to obtain the MNDOT approvals, expected at the end of March, and then proceed to bidding.

Mayor Mosford brought up the outline of Council decorum. LeCuyer stated she would like to see this move forward and perhaps it would be best for it to through the Personnel Committee. Kris duMonceaux thought it would be a good workshop item. The appointments to a Personnel Committee were then discussed. Motion made by LeCuyer, seconded by duMonceaux to establish the Personnel Committee with LeCuyer and Weis. Motion carried.

#### Department Reports:

Police Chief McMillin commented it has been fairly busy with a number of OWI's, reports of suspicious activity, and harassments.

Attorney Adam Ripple stated the Council is meeting February 1, at 4:30 p.m. to cover the Police contract.

Mark Pappenfus, Public Works Director replaced a radiator in the loader, is working on year end water reports, that 14 man hole infiltration problems are finished, and the ice rink is open. LeCuyer expressed an interest in seeing expenditures on I&I.

Barbian gave a brief overview of last year's employment review for supervisors and employees and received direction for this year. Also mentioned was a schedule modification for Jessica to attend class.

In open forum Tony Washa commented on the numerous discussions on the downtown enhancements and is tired of it. He does not want to see the item come back again.

Barbian mentioned the Coalition of Greater MN Cities is interested in aiding the City to enlist legislative support for LGA. Council members LeCuyer and duMonceaux were chosen to work on this.

Motion by LeCuyer, seconded by duMonceaux to go into closed session. Motion carried.

Open session resumed. Summary of the closed session is the Council completion of reviews for Mark Pappenfus, Katie McMillian and Robert Barbian.

Motion made by Bettendorf, seconded by duMonceaux to adjourn at 8:30 p.m. Motion carried.

---

Robert Barbian, Administrator