CITY OF FOLEY, MINNESOTA

REGULAR CITY COUNCIL MEETING – September 5, 2017

The Foley City Council held a regular meeting on September 5, 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 du'Monceaux, seconded by Gondeck, to approve the agenda.  Motion carried, unanimous.

**Consent Agenda**

Motion by Gondeck, seconded by Swanson, to approve the consent agenda, which includes the following:

* Approve minutes of Aug. 1 and Aug. 15, 2017.
* Approve closing of Penn Street for Homecoming Parade on Sept. 29, 2017.
* Adopt Resolution #2017-20 Accepting Donation.
* Adopt Resolution #2017-23 Accepting Donation.
* Adopt Resolution #2017-21 Cancelling Special Assessment.
* Approve payment of bills paid for by checks #49856 - #49929.

Motion carried, unanimous.

**Public Hearing – Blue Water Sands LLC Variance Request for Two-Family Home**

Mayor Bettendorf recessed the regular city council meeting at 5:31 p.m. to conduct the public hearing for a variance request for Blue Water Sands, LLC.  Mayor Bettendorf acknowledged a letter was received from Maria & Adam Orton, property owners located at 181 4th Avenue S. Dale Walsh, 151 Broadway Avenue S, was at the meeting to express concern over not following the rules of the city.  There was concern with parking, snow removal, fire protection and area for the kids to play.  John Posheck, 135 Broadway Avenue S, expressed concerns with proximity of the neighboring house and how a larger structure would fit onto the lot.  Beverly Stoppelman, 151 Broadway Ave S, expressed concerns with fire protection, snow removal and parking.  The safety of the neighbors was also a concern.  Jason Hoeschen, Blue Water Sands LLC property owner, outlined the details of the structure improving setbacks, yard space in the back and parking area inside the garage and in front of the garage.  Member Gondeck gave an overview of the snow removal discussion from the Planning Commission and if the snow would need to be hauled out.  Bettendorf asked about the screening process for potential tenants.  Hoeschen indicated a professional management company would be conducting the rental process.  The potential sale of the units was also discussed.  Swanson questioned the responsibilities of the property management company.  Mayor Bettendorf reconvened the regular city council meeting at 5:41 p.m.  Brunn gave an overview of some of the discussion on the property at the planning meeting on the items brought forward.  Motion by Bettendorf, seconded by Gondeck, to adopt Resolution #2017-24 Approving Variance Request.  Bettendorf, Gondeck, Swanson - aye.  Weis, du'Monncaux - nay.  Motion carried.

**Bryan Moshier - Foley Fire Relief**

Mr. Moshier introduced himself as the current treasurer and gave an overview of the 2016 pension schedule.  A surplus currently exists in the fund even after a recent raise for the fire fighters pension plan.  Swanson asked about the funds being exclusively used for firefighter’s retirement.  Motion by Swanson, seconded by Weis, to accept the report.  Motion carried, unanimous.

**Ryan Schmit - South Trailer Park Redevelopment**

Schmit gave an overview of his progress on the south trailer cleanup and presented a concept plan on the redevelopment.  Swanson asked if the proposal was affordable or senior housing.  Mr. Schmit indicated this housing is market rate housing and it’s possible to be able to accommodate seniors.  The council indicated a preference for market rate housing and not trailer courts.  Swanson asked about a property management company.  Schmit said these properties could be a mix of rental and ownership and have an association take care of the rest.  City Engineer Jon Halter reviewed the feasibility study for Gopher Street and also asked permission to add on a section of sidewalk by Broadway & Main.  This would cost approximately $30,000 and could be included with the project as an assessable portion.  The council agreed it should be added.  Motion by Gondeck, seconded by du'Monceaux, to adopt Resolution #2017-25 Ordering Feasibility Report with the addition of the sidewalk portion.  Motion carried, unanimous.  Swanson thanked Mr. Schmit for his work on the cleanup.

**Discussion on 2018 Budget**

Motion by du'Monceaux, seconded by Swanson, to adopt Resolution #2017-22  Approving 2018 Preliminary Tax Levy.  Motion carried, unanimous.

**Open Forum**

No one spoke.

**Department Reports**

Police Chief Katie McMillin gave an overview of the monthly law enforcement report.

No report from City Attorney Adam Ripple.

Jon Halter, City Engineer updated the council on the downtown parking lot on Broadway Ave N.  Due to the bidding environment, the city engineer is recommending waiting to get quotes until spring to get a better price.  Swanson indicated making sure the parking availability is there during the project.  Halter also reviewed the wrap up of the demonstration project and asked for council direction on the final design.  Gondeck indicated the design should include diagonal parking and design similar to 4th Avenue. The entire council agreed with this consensus.

Lastly, Halter gave an overview of the quotes for the Birch Drive Drain tile project, which came in about $20,000 higher than the estimate.  Staff recommends proceeding with the project despite the higher cost to extend the life of the road and hold off a major reconstruction project for many years.  Swanson indicated support to proceed with the project.  Motion by Swanson, seconded by du'Monceaux, to award the quote to Molitor Exacavating for $66,329.  Motion carried, unanimous.

Public Works Mark Pappenfus updated the council on the activities of the public works department.  Pappenfus requested authorization to purchase a Bobcat hydraulic breaker for $6,115.00.  Pappenfus gave an overview of how often they use the equipment and costs to rent this equipment.  Motion by Gondeck, seconded by du'Monceaux, to approve the purchase.  Motion carried, unanimous.

Fire Chief Mark Pappenfus gave an overview of the purchase of rescue tools for the fire department.  The fire relief raised funds to make this purchase with nearly all of the funds being raised already. These funds would be donated to the city to make the purchase.  Motion by du'Monceaux, seconded by Swanson, to approve the purchase.  Motion carried, unanimous.

City Administrator Sarah Brunn updated the council on the swimming pool and the upcoming safety audit report.

Bettendorf asked about door-to-door salespeople and regulating those individuals.

**Old Business**

Downtown parking enforcement was discussed.  City Attorney Adam Ripple expressed concern with enforcement and costs of enforcement and the city should consider pros and cons before making a decision.  Swanson expressed concern with the need to accommodate the senior citizens.  Bettendorf indicated discussing the item with the call center and Dombrovski's to see if they can work with their employees to make an improvement.  du'Monceaux indicated a need for the city to back up the downtown business.  No action was taken.

Motion by Gondeck, seconded by Weis, to adjourn at 6:28 p.m.  Motion carried, unanimous.

 Sarah A. Brunn, Administrator