CITY OF FOLEY, MINNESOTA

REGULAR CITY COUNCIL MEETING – November 7, 2017

The Foley City Council held a regular meeting on November 7, 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 Swanson, seconded by du’Monceaux, to approve agenda. Motion carried, unanimous.

Motion by Gondeck, seconded by Weis, to approve the consent agenda after removing item #6 (Hiring of part-time officer Tim Dwyer). The consent agenda includes the following:

* Approve minutes of October 3, 2017.
* Adopt Resolution #2017 – 31 Joint Resolution with Benton County for Dewey Street Variance.
* Approve Gopher Ave Feasibility Study Amendment.
* Adopt Resolution #2017 - 32 Adopting Polling Place for 2018 Elections
* Approve Joint Powers Agreement with RCTAG
* Approve payment of bills paid for with checks #50009-#50079.

Motion carried, unanimous.

**New Life Church – Sign Site Plan Approval**

The council was presented with the site plan for the installation of a sign at New Life Church. The Planning Commission recommended approval of the site plan at their October meeting. Motion by Gondeck, seconded by Swanson, to approve the sign plan. Motion carried, unanimous.

**Public Hearing – Fee Schedule Ordinance**

Mayor Bettendorf recessed the regular city council meeting at 5:34 p.m. to conduct a public hearing on the fee schedule ordinance. Chad Dombrovski, 264 Balsam Drive, questioned his I/I assessment charges. Bettendorf directed him to the next agenda item. Rosalie Musachio, 150 Cottage Grove, requested the council consider lowering the park shelter fees for the Holdridge Park shelter and indicated no one is renting it because of the high fees. Musachio also requested the council add recycling out at the parks. City Administrator Sarah Brunn explained the staff costs required to clean the park before and after each reservation and that nearly all summer weekends are booked at Holdridge each year. No one else spoke for or against. Mayor Bettendorf reconvened the regular city council meeting at 5:41 p.m.. Motion by du’Monceaux, seconded by Weis, to adopt Ordinances #431 Schedule of Fees, Ordinance #432 Water Rates and Ordinance #433 Sewer Rates. Motion carried, unanimous.

**Public Hearing – Weed & I/I Penalty Assessments**

Mayor Bettendorf recessed the regular city council meeting at 5:43 p.m. to conduct a public hearing on the proposed weed and I/I assessments. Chad Dombrovski, 264 Baslam Drive, questioned what portion of penalties are going back into a fund to help residents make their private property repairs. Dombrovski indicated frustration with the change in code and a lack of funds to make his necessary repairs. Dombrovski requested the city make his private property repairs and assess the costs over the course of 15 years or so. du’Monceaux responded that the council cannot assist private parties and set that precedence. Weis indicated other residents had to pay for and make their own repairs. Bettendorf indicated some residents took out loans to make their corrections. Swanson indicated a need to find a way to be compliant to avoid fines. Gondeck elaborated on the issue being a part of the bigger wastewater issue. Barb Zeroth, 641 4th Avenue N, expressed concerns over fines since they felt only service lateral issues remained. Staff indicated they will follow up with Zeroth to explain the needed repairs. Bettendorf reconvened the regular city council meeting at 6:04 p.m. Motion by du’Monceaux, seconded by Swanson, to adopt Resolution #2017-33 Certifying Weed Assessments and Resolution #2017-34 Certifying I/I Penalty Assessments. City Attorney Adam Ripple advised the council the motion should allow staff to adjust the final lists if necessary prior to certification at the county level. Motion carried, unanimous.

**Discussion on Police Squad Car Purchase**

The council was presented with options to purchase a new squad in 2018. Chief McMillin presented a memo and specs on a Chevy Tahoe, Ford Utility and Ford Sedan. Low quote was for the Ford Sedan at a cost of $31,938.89. The state bid for a Chevy Tahoe was $43,390.88 with local dealer Murphy Chevrolet matching the state big price of $43,390.88. Swanson and du’Monceaux indicated a desire to purchase a Tahoe and support the local dealership. Motion by Swanson, seconded by Weis, to approve the quote from Murphy Chevrolet for the Tahoe with a total cost of $43,390.88. Motion carried, unanimous.

**Gopher Ave and Broadway Sidewalk – Preliminary Assessment Hearing**

Mayor Bettendorf recessed the regular city council meeting at 6:06 p.m. to conduct the public hearing on the Gopher and Broadway project. City Engineer Jon Halter gave an overview of the project, timeline and costs. Bettendorf questioned the curbing. Rosalie Musachio, 150 Cottage Grove, asked about the sewer and water services located under her home and how it would be handled. Halter indicated Musachio will not be assessed and existing pipe will be capped. Musachio expressed concern over critters getting into her home if the pipe remains and also asked about the potential to build a structure over the top of it. Joseph Buhs, 201 Hill Ave, asked about a fence he owns that runs along Gopher. Halter indicated the road should not impact the fence. Evenlyn Kirby, 50 Broadway Ave N, questioned if the existing and abutting sidewalk to the newly proposed would also be replaced with the new section. Staff will research this option to be included with the project. Duane Foss, representing 121 Hill Ave, asked if direct storm water connections will be installed as part of the project. Halter indicated the design includes this option. Mayor Bettendorf reconvened the regular city council meeting at 6:31 p.m. Motion by Gondeck, seconded by du’Monceaux, to adopt Resolution #2017-35 Order Improvements and Preparation of Plans. Motion carried, unanimous.

**Mayor's Comments and Open House**

Deb Olson, 600 Dewey Street, indicated she was advising the city council of an attorney general opinion regarding trees. Olson indicated she was sent a letter from staff regarding a tree branch overhanging onto the neighbor’s property that she was to remove within 10 days. She also questioned the validity of her neighbor’s rental license.

**Department Reports**

City Engineer Jon Halter updated the council on letters to be sent regarding the Dewey/Gopher service lateral work.

Police Chief Katie McMillin updated the council on the monthly law enforcement report and two tobacco violations. The council set up a public hearing for December 5, 2017, to address the tobacco violations.

Public Works Director Mark Pappenfus updated the council on changes to the Foley Fun Days parade and carnival due to road construction in 2018. Pappenfus also updated the council on the activities of the public works department including the rental house, jetting and snow removal.

City Administrator Sarah Brunn updated the council on the MPCA sulfates hearing, the small cell tower ordinance, water/wastewater project planning and the proposed 2018 council meeting schedule.

**Old Business**

There was no old business.

**New Business**

Gondeck presented the recommendation of the personnel committee on the 2018 employee health insurance benefits, which includes migrating the plan from a traditional co-pay plan to a health savings plan. Motion by Gondeck, seconded by Swanson, to approve the change effective in 2018. Motion carried, unanimous.

Motion by Gondeck, seconded by Swanson, to adjourn.  Motion carried, unanimous.

Sarah A. Brunn, Administrator