CITY OF FOLEY, MINNESOTA

REGULAR CITY COUNCIL MEETING – December 5, 2017

The Foley City Council held a regular meeting on December 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 Swanson, seconded by Weis, to approve the agenda.  Motion carried, unanimous.

**Consent Agenda**

Motion by Gondeck, seconded by du'Monceaux, approve the consent agenda which contains the following:

* Approve minutes of November 7, 2017.
* Adopt Resolution #2017-36 Library Grant Authorization.
* Accept resignation of Josh Neumann, part-time police officer.
* Approve hiring of James Swioklo as part-time police officer.
* Adopt Resolution #2017-37 Adopting County Hazard Mitigation Plan.
* Adopt Resolution #2017-38 Accepting Donation.
* Approve tobacco license of Dollar General, 320 Broadway Avenue N.
* Approve payment of bills paid for checks #50080 - #50155.

Gondeck questioned the Neumann reimbursement.  Motion carried, unanimous.

**Update on Wastewater Facility Plan - Jessica Hedin, S.E.H.**

Jessica Hedin, S.E.H., reviewed the preliminary effluent limits and memo provided to the council. Hedin indicated the limits provided by the MPCA are very difficult to obtain with the existing pond system and some of the proposed alternatives.  Anti-degradation was discussed, and how the full anti-degradation review will be required if the city wishes to receive reasonable and cost-effective limits for the long-term.  Hedin and staff are recommending proceeding with the anti-degradation process.  The anti-degradation process will delay the completion of the facility plan but is necessary in order to provide the best alternatives.  Swanson questioned the probability of Foley's anti-degradation being approved and if there are any other concerns the council should be aware of.  Hedin also gave an overview of sulfates and how the proposed sulfate limit will affect the permit.  The state is currently reviewing the sulfate standard and will make a final ruling the end of the year.  City Administrator Sarah Brunn updated the council on inquiries she has made with the Coalition of Greater MN Cities and other cities. The coalition would be able to connect the city with additional legal resources to assist in the anti-degradation process. Brunn indicated these resources would be at an additional cost to the city. The coalition also suggested the city consider a response to the MPCA on the proposed sulfate limit as the final ruling on sulfates has not been made and if there is any way to keep sulfates out of the permit it may be beneficial to the city in the long-run.

Motion by Gondeck, seconded by Swanson, to approve proceeding with the anti-degradation process and having staff seek additional legal resources as needed. Motion carried, unanimous.

**Public Hearing - ROW & Small Cell Facilities Ordinance**

Mayor Bettendorf recessed the regular city council meeting at 5:53 p.m. to conduct the public hearing on the proposed ordinance.  No one spoke on the matter. Mayor Bettendorf reconvened the regular city council meeting at 5:54 p.m.  Motion by du'Monceaux, seconded by Swanson, to adopt Ordinance #434 - ROW and Small Cell Facilities and approve summary publication.  Motion carried, unanimous.

**Mayor's Comments and Open Forum**

No one spoke.

**Department Reports**

Jon Halter, City Engineer, updated the council on the Dewey Street project and an upcoming informational meeting on the properties which need a service lateral repair.  The meeting will be Dec. 14 at 5:30 p.m. at Foley City Hall.  Halter also indicated the variance was approved for the diagonal parking on Dewey Street and staff will not need to attend the formal meeting on the request.

Katie McMillin, Police Chief updated the council on the monthly law enforcement report, tobacco violations and the Cocoa with a Cop event.  Fun with a Cop event will be held in February.  McMillin also updated the council on special mental health training some of the officers have attended.  Swanson asked about the requirements of mental health training for police officers.

City Attorney Adam Ripple presented the union contract which is a 3-year contract and provides for 3-year incremental COLA's and transitions the insurance to the health savings plan as approved for other city employees.  All other items remain the same.   Motion by du'Monceax, seconded by Gondeck, to approve the union contract for 2018-2020. Motion carried, unanimous.

City Administrator Sarah Brunn updated the council on the city ordinances all being updated on the city website, an upcoming movie filming planned in the downtown, and the certification of the weeds and I/I penalties to the county.

Brunn gave an overview of quotes for a new computer server and wireless bridge for public works. Motion by du'Monceaux, seconded by Swanson, to approve the purchase and installation of a new computer server and wireless bridge for public works. Motion carried, unanimous.

**Truth in Taxation - 2018 Budget Public Hearing**

Mayor Bettendorf recessed the regular city council meeting at 6:08 p.m. to conduct the public hearing on the proposed 2018 budget.  No one spoke on the matter. Mayor Bettendorf reconvened the regular city council meeting at 6:09 p.m.  Motion by Gondeck, seconded by du'Monceaux, to adopt Resolution #2017-39 Approving Final Levy and directing staff to certify the amounts to the county.  Motion carried, unanimous.

**Old Business**

None

**New Business**

None

**Performance Review of City Administrator**

Mayor Bettendorf called for a brief recess at 6:11 p.m. and closed the public meeting to conduct the performance review of the City Administrator.

Mayor Bettendorf reconvened the regular city council meeting. The performance of the city administrator was discussed and determined satisfactory.

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

Sarah A. Brunn, Administrator