



**City Council – Meeting Agenda  
May 1, 2018 – 5:30 P.M. – Foley City Hall**

1. Call the meeting to order.
2. Pledge of Allegiance.
3. Approve the agenda.
4. Consent Agenda:
  - Approve minutes of April 3, 2018.
  - Approve minutes of April 9, 2019.
  - Approve promotion of Josh Lindgren to full-time police officer effective May 1, 2018.
  - Approve promotion of Josh Lindgren to Acting Police Chief in May/June of 2018.
  - Approve hiring of Dylan Kleinsasser as temporary, full-time police officer effective June 17, 2018.
  - Approve hiring of Assistant Pool Manager I, Amelia Winkelman.
  - Approve hiring of Assistant Pool Manager II, Emma Brenny.
  - Approve 2018 seasonal wage rates.
  - Adopt Resolution #2018-14 Amending EFT Policy.
  - Approve designation of Sarah A. Brunn, Monica Shaw and Sara Judson-Brown to authorize EFT payments/receipts.
  - Approve payment of bills.
5. Public Hearing – Mr. Jim’s Liquor License Transfer from Jim DeMarais to Tammy DeMarais
6. 2018 Improvement Project – Dewey, 2<sup>nd</sup>, 3<sup>rd</sup>, Gopher, Broadway
  - Adopt Resolution #2018- Awarding Bid
7. 130 Broadway Ave N – Site Plan Review – Gary Gruba (Granite City Plumbing)
8. Mayor’s Comments & Open Forum.
9. Department Reports:
  - Police Department –Katie McMillin
  - City Engineer – Jon Halter
  - Public Works – Mark Pappenfus
    - Discussion on Golf Court street lights.
  - Administration – Sarah Brunn
    - Discussion on encroachment issue.
10. Old Business
  - Update on wastewater facility plan – discussion on growth projections.
11. New Business
12. Adjourn

CITY OF FOLEY, MINNESOTA  
REGULAR CITY COUNCIL MEETING – April 3, 2018

The Foley City Council held a regular meeting on April 3, 2018, at 5:30 p.m. at the Foley City Hall.

Members Present: Mayor Gerard Bettendorf, Councilmembers Jeff Gondeck, Kris du'Monecaux, and Gary Swanson.

Members Absent: None.

The pledge of allegiance was recited.

Motion by Gondeck, seconded by Swanson, to approve the agenda. Motion carried, unanimous.

**Consent Agenda**

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

- Approve minutes of March 6, 2018.
- Adopt Resolution #2018 – 12 Approve 2017 Transfers.
- Approve payment of bills paid for with checks #50370-#50428.

Motion carried, unanimous.

**Leave of Absence Request of Chris Triplett**

The council was presented with an extended leave of absence request for an additional 10-12 weeks from officer, Chris Triplett. Motion by du'Monceaux, seconded by Bettendorf, to deny the request. Bettendorf, du'Monceaux, Swanson – aye. Gondeck – nay. Motion carried.

**2018 Street Improvements – Project Financing – George Eilertson, Northland Securities**

George Eilertson, Northland Securities, provided an overview of the project financing for the Dewey/2<sup>nd</sup>/3<sup>rd</sup>/Gopher/Broadway project which is currently out for bid. The term is estimated at 15 years and current debt amounts are based on project estimates. The amounts will be updated once bids are received. The goal of financing this project was to wrap the debt into existing debt to minimize the impact to the tax levy due to other infrastructure projects planned in the future. The bonds would be approved at the July council meeting so first disbursement could be received in late summer. Eilertson also overviewed the credit rating process.

**Nancy Kampa – Foley Fun Days 2018**

Nancy Kampa was at the meeting to overview the planning for this year's Fun Days celebration and request use of the streets again. Kampa also thanked the council for their continued support of the annual festival.

**Foley Economic Development Committee – Downtown Planters**

City Administrator Sarah Brunn overviewed a request from the Economic Development Committee for a one time \$500 donation and in-kind time of the public works department from the City of Foley to apply for a SCORE grant to purchase flower planters for the downtown. Jim Martinson and Bill Kalton from the committee were also present. Motion by du'Monceaux

seconded by Swanson to authorize the donation and in-kind if the grant is award. Motion carried, unanimous.

### **Discussion on Vacant Councilmember Position**

The council discussed the applicants who submitted letters of interest for the temporary councilmember position. Gondeck indicated a desire to spend more time evaluating the candidates. du'Monceaux indicated being comfortable making a decision at the meeting. Swanson would be comfortable either way. Motion by Swanson to recommend Jack Brosh for the position. Motion failed due to lack of second. There was discussion on if the council should wait or proceed with a candidate. Motion by Bettendorf, seconded by du'Monceaux, to appoint Mike Kasner to the interim councilmember position. Bettendorf, du'Monceaux, Swanson – aye. Gondeck – nay. Motion carried.

### **Mayor's Comments & Open Forum**

Mayor Bettendorf indicated the City will be presenting a plaque to the family of Brian Weis for his outstanding service to the council.

### **Department Reports**

McMillin gave and overview of the monthly law enforcement report and activities of the police department.

Public Works Director Mark Pappenfus indicated a preconstruction meeting for the downtown parking lot would occur on April 18<sup>th</sup>. Pappenfus also indicated the Dewey street project is out for bids and that work on the Glen Street fire hydrant near Coborn's will continue once the weather dries out. Pappenfus also updated the council on tree trimming and removal that the power company will be doing and that research is being done into the lighting on Golf Court Estates. Pappenfus also reported the department received a wastewater operator compliance award. Bettendorf asked about the clean outs on Birch Drive, staff will continue to monitor.

City Administrator Sarah Brunn asked for council direction on if they still desire to obtain Highway 23 turnback property from the county. The council indicated a desire to continue the process. Brunn also updated the council on the pool hiring, the receipt of the safe routes planning grant, and city hall improvements.

### **Old Business**

Brunn updated the council on the work on the wastewater facility plan.

Motion by Gondeck, seconded by du'Monceaux, to adjourn. Motion carried, unanimous.

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Sarah A. Brunn, Administrator

CITY OF FOLEY, MINNESOTA  
SPECIAL CITY COUNCIL MEETING – April 9, 2018

The Foley City Council held a special meeting on April 9, 2018, at 5:00 p.m. at the Foley City Hall.

Members Present: Mayor Gerard Bettendorf, Councilmembers Jeff Gondeck, Mike Kasner and Gary Swanson.

Members Absent: Kris du'Monceaux

The pledge of allegiance was recited.

Motion by Gondeck, seconded by Swanson, to approve the agenda. Motion carried, unanimous.

**Swearing in of Mike Kasner**

City Administrator Sarah Brunn administered the oath of office for Councilmember Mike Kasner.

**Discussion on Release of Chris Triplett**

Motion by Bettendorf, seconded by Kasner, to terminate officer Chris Triplett. Bettendorf, Kasner, Swanson – aye. Gondeck – nay. Motion carried.

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

\_\_\_\_\_ Sarah A. Brunn, Administrator

## Bills List - May 1, 2018

Gross Salaries	Payroll - 4/13/18	\$	24,526.31
EFTPS	Federal Withholding	\$	4,580.40
MN Dept of Revenue	State Withholding	\$	1,028.87
State Treas. PERA	PERA	\$	4,422.72
Nationwide	Deferred Comp	\$	645.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	65.00
SelectAccount	HSA Contribution	\$	480.00

Gross Salaries	Payroll -	\$	23,727.49
EFTPS	Federal Withholding	\$	4,532.16
MN Dept of Revenue	State Withholding	\$	1,016.46
State Treas. PERA	PERA	\$	4,264.04
Nationwide	Deferred Comp	\$	645.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	65.00
MN PEA	Union Dues	\$	39.00
SelectAccount	HSA Contribution	\$	480.00

### ***Already Paid - 5/1/18***

Cloudnet	Server Fee	\$	10.00
Goldeneye Framing & Gallery	Re-Framing Council Maps	\$	558.88
Midcontinen Communications	Internet	\$	125.00
MN Dept of Health	Water main Permit - Dewey Project	\$	150.00
MN Hwy Safety Research Center	PD Training	\$	415.00
Wimactel, Inc	Pool Phone	\$	60.00
Postmaster	Water Bill Mailing	\$	600.00

### ***To Be Paid - 5/1/18***

Accurate Radar Specialties	PD Squad Care Repair	\$	140.00
Advanced Disposal	Garbage	\$	278.94
Alex Air Apparatus	PW Boots	\$	748.24
AllSpec Services	Building Inspection Services	\$	2,649.05
Allstream	Phones	\$	902.81
American Door Works	Shop Door Repair	\$	1,525.20
Benton County Assessor's Office	2018 Assessments - 2nd Payment	\$	5,076.00
Benton County Hwy Dept	PD Fuel	\$	571.61
Benton Trophy	FD & Council Engraving	\$	82.26
Central McGowan	FD & PD Medical Equip	\$	111.72
Coborn's	Office Supplies	\$	19.64
CORE Professional Services	Police Evaluations	\$	250.00
Delta Dental	Employee Dental Insurance	\$	918.70
First National Bank of Omaha	Credit Card Purchases	\$	1,256.90
Flaherty & Hood PA	WWTF Facility Plan/Antidegradation	\$	658.75
Foley Hardware	Compost, Internet & Street Repair	\$	91.79
Foley Fuel & Lumber	Street & Water Shop Repair	\$	45.66
Frontline Warning Systems	Siren Repair	\$	6,340.00
G&K Services	Uniforms & Mats	\$	436.44
Gilman Coop Creamery	FD Supplies	\$	134.99
Hall & Associates	WWTF Facility Plan/Antidegradation	\$	3,545.56
Hawkins	Water Chemicals	\$	1,266.50
Henry Schein	FD Supplies	\$	177.66
Jesse Roehl	Safety Eyeglasses Reimbursement	\$	216.24
JM Truck & Tractor Repair	Street Sweeper & Dump Truck Repair	\$	9,838.80
Keepers, Inc	PD Uniforms & Squad Car	\$	4,187.36
LIFE LLC	PD EMR Refresher	\$	260.00
Marco	Copier Lease	\$	392.51
Molitor Excavating	Water Maint	\$	6,067.00
MR Sign	No Parking Signs	\$	218.93

Murphy Chevrolet	PF Vehicle Repair	\$	176.00
MN Dept of Revenue	Sales & Use Tax	\$	1,225.00
Napa Central MN	Brake Tool	\$	38.39
Resource Training & Solutions	Employee Health Insurance	\$	7,595.00
Rinke Noonan	Union, Zoning, PouchTec, Dollar Gen, WWTF	\$	2,019.50
Sam's Club	Employee Membership Dues	\$	450.00
Select Account	HSA Admin Fee	\$	20.65
South Central College	FD Training - Mike McMillin	\$	150.00
Star Publications	March Publications	\$	483.00
Stearns DHIA Central Lab	Water & Sewer Testing	\$	237.00
Streicher's	FD Supplies	\$	1,227.60
Sun Life Assurance	Long Term Disability	\$	184.56
Towmaster	Street Repair	\$	46.10
Watch Guard	Squad Car Cameras	\$	8,340.00
USABLE Life	Employee Life Insurance	\$	180.50
Verizon	Cell Phones	\$	295.76
Water Conservation Services	Water Main Repair	\$	674.90
Witmer Public Safety Group	FD Awards	\$	104.31
Xcel Energy	Utilities		5391.7

***Additional To Be Paid - 4/3/18***

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**\$ 149,685.56**



# Foley Police Department

## Memo:

April 26, 2018

Dear Mayor and Members of the Council,

This memo is to inform you all of our upcoming schedule/staff changes:

As you may recall Officer Ashley Holtz was promoted to temporary full time back on March 6, 2018. Officer Holtz will be at this status until September 22, 2018 at this time Officer Holtz will then go back to a regular part time status.

If approved by Council, Officer Josh Lindgren will be promoted to the permanent full time position starting the beginning of May. Officer Lindgren has also agreed to be the acting CLEO while I am out on maternity leave. Officer Lindgren will mostly be working day shift 4 days week. Officer Lindgren may be scheduled to work an evening shift if coverage is needed.

Officer Lindgren will be acting CLEO from the time I go on leave to the time I come back. If all goes as planned I will be back to work on September 4, 2018. Officer Lindgren then will continue to work day shifts until September 22, 2018. Officer Lindgren will then go to working the full-time, evening shift rotation.

With Officer Jason Abbott being deployed come this June (exact date unknown at this time) Officer Dylan Kleinsasser has agreed to temporary fill Officer Abbott's shifts at a temporary full time status. Officer Kleinsasser will take this position starting approximately June 17, 2018 until June 1<sup>st</sup>, 2019. Officer Kleinsasser then will go back to a regular part time status.

*Seasonal / Temporary Employees  
Part Time Positions*

<u>Pool Employees</u>		<u>Rate/Range</u>	<u>Wage Cap</u>
Pool Manager	returning employee	16.50-19.50 0.50/hr increase	16.50-19.50
Assistant Pool Mgr I	returning employee	13.50-15.50 0.50/hr increase	\$15.50
Assistan Pool Mgr II	returning employee	12.50-14.50 0.50/hr increase	\$14.50
Lifeguard	returning employee	10.00-11.50 0.50/hr increase	\$11.50
Swim Instructor	no annual adjustment	11.00-11.50	\$11.50 *will be given minimum of \$11.00 or 11.50 if at LG max.
<u>Public Works Employees</u>		<u>Rate/Range</u>	<u>Wage Cap</u>
Temporary PW Maintenance	returning employee	\$10.50-\$14.50 0.50/hr increase	\$14.50
Snow Contractor			
Heavy Equip./Plow Operator		\$18.50-\$20.50	\$20.50
Pick-up/Dump Truck Operator	returning employee	13.50-15.50 0.50/hr increase	\$15.50
Seasonal PW Maintenance	returning employee	10.00-12.50 0.50/hr increase	\$12.50



CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA

RESOLUTION 2018 – 14

RESOLUTION AMENDING ELECTRONIC FUNDS TRANSFER POLICY

WHEREAS, the City determined a need to amend the existing EFT (Electronic Funds Transfer) policy to comply with new standards and practices; and

WHEREAS, the purpose of this resolution is to authorize and approve automatic transfers for the City of Foley, notwithstanding any other law to the contrary; and

WHEREAS, the City of Foley recognizes that from time to time it may be beneficial and/or required to use electronic funds transfers for receipts and deposits and instead of checks for paying of vendor claims, bond and debt obligation payments, purchases, investments (selling/purchasing), State and Federal payroll taxes, receipt of county and state revenue; and

WHEREAS, as per MN Statute 471.381, the Foley City Council hereby authorizes the use of electronic funds wire transfers; and

WHEREAS, the City Council authorizes individuals delegated annually to make electronic fund transfers; and

WHEREAS, the City Council will annually review and authorize said electronic funds transfers from the official depository to the designated business issuing claim against the City of Foley; and

WHEREAS, in the event that new electronic funds transfers are to be initiated on behalf of the City, the City Council must hereby approve and authorize said transactions.

NOW, THEREFORE BE IT RESOLVED THAT the City of Foley does hereby approve the foregoing resolution to authorize the policy for the use of Electronic Funds Wire Transfers.

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota this 1<sup>st</sup> day of May, 2018.

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Gerard L. Bettendorf, Mayor

ATTEST:

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Sarah A. Brunn, City Administrator



## BIDS RECEIVED

2018 DEWEY STREET, 2ND AVENUE, 3RD AVENUE, AND GOPHER AVENUE IMPROVEMENTS  
FOLEY, MN  
SAP 005-627-004  
SEH NO. FOLEY 138502

BIDS DUE: 9:00 A.M., FRIDAY, APRIL 27, 2018  
CITY HALL

NO.	BIDDER	BID BOND	RESPONSIBLE CONTRACTOR	AFFIDAVIT OF NON-COLLUSION	ADDENDA 1	TOTAL BID
	C&L EXCAVATING, INC. ST. JOSEPH, MN	✓	✓	✓	✓	3,614,044.25
	DOUGLAS-KERR UNDERGR. MORA, MN	✓	✓	✓	✓	3,555,618.14
	GEISLINGER & SONS WATKINS, MN	✓	✓	✓	✓	3,558,555.65
	HARDRIVES, INC. ROGERS, MN					
	HELMIN CONST., INC. FOLEY, MN					
	J. R. FERCHE, INC. RICE, MN	✓	✓	✓	✓	3,556,219.33
	KNIFE RIVER CORP. SAUK RAPIDS, MN					
	KUECHLE UNDERGROUND KIMBALL, MN	✓	✓	✓	✓	2,938,094.47
	LARSON EXC., CONTRACTORS HOLDINGFORD, MN					
	LATOUR CONST., INC. MAPLE LAKE, MN					
	NORTHDALE CONST. ALBERTVILLE, MN					
	R. L. LARSON EXC., INC. ST. CLOUD, MN	✓	✓	✓	✓	3,530,719.55
	S. J. LOUIS CONST., INC. ROCKVILLE, MN					

P:\FJ\FOLEY\138502\6-BID-CONST\BIDDING\BIDS RECEIVED.DOCX

Engineer's Estimate  
\$3,051,546

CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA

RESOLUTION 2018 – 14

A RESOLUTION AWARDING THE 2016 STREET AND UTILITY IMPROVEMENTS

WHEREAS, pursuant to an advertisement for bids for 2018 Dewey Street, 2nd Avenue, 3rd Avenue, and Gopher Avenue, and Broadway Avenue Sidewalk Improvements, bids were received, opened, and tabulated according to the law, and the following bids were received complying with the advertisement:

(Insert Tabulation of Bids)

AND WHEREAS, it appears that \_\_\_\_\_ of \_\_\_\_\_ is the lowest responsible bidder,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FOLEY, MINNESOTA:

1. The mayor and administrator are hereby authorized and directed to enter into the attached contract with \_\_\_\_\_ of \_\_\_\_\_ in the name of the city of Foley for the 2018 Dewey Street, 2nd Avenue, 3rd Avenue, and Gopher Avenue, and Broadway Avenue Sidewalk Improvements according to the plans and specifications therefor approved by the city council and on file in the office of the city clerk.
2. The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

PASSED AND ADOPTED by the Foley City Council this 1st day of May, 2018.

\_\_\_\_\_  
Gerard L. Bettendorf, Mayor

ATTEST:

\_\_\_\_\_  
Sarah A. Brunn, City Administrator

CERTIFICATION OF MINUTES RELATING TO AWARDING THE  
2018 STREET AND UTILITY IMPROVEMENTS

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Foley, Benton County, Minnesota, was duly held at the City Hall on May 1, 2018, at 5:30 p.m.

The following members were present: Gerard Bettendorf, Kris du'Monceaux, Jeff Gondeck, Gary Swanson, Mike Kasner

And the following were absent: None.

Council member \_\_\_\_\_ introduced the resolution and moved its adoption. The motion of the foregoing resolution was duly seconded by member \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

A RESOLUTION AWARDING THE 2016 STREET AND UTILITY IMPROVEMENTS

I, the undersigned, being the duly qualified and acting recording officer of the City of Foley hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Foley City Council at a duly authorized meeting held on May 1, 2018.

WITNESS MY HAND officially as such recording officer on May 1, 2018.

\_\_\_\_\_  
Sarah A. Brunn, City Administrator

**City of Foley  
Site Plan Review  
Findings & Order**

Date: 4/9/18  
Applicant Name: Granite City Plumbing (Gary Coruba)  
Property Location: 130 Broadway Ave  
Zoning of Property: B-1  
Project Scope: Site plan review for addition

**The following conditions apply to the property site plan request:**

1. South side of bldg have gutters installed.
2. Screening of dumpsters located on NE of parking lot on <sup>recently</sup> acquired property as determined by public works.

**THE FOLEY PLANNING COMMISSION RECOMMENDS:**

Approved ☒ Not Approved ☐

Comments:

\_\_\_\_\_

Date 4/9/18

William Brander, Vice Chair  
Chair, Foley Planning Commission

**THE FOLEY CITY COUNCIL DETERMINES:**

Approved ☐ Not Approved ☐

Comments:

\_\_\_\_\_

Date \_\_\_\_\_

Mayor \_\_\_\_\_

# City of Foley Site Plan Review Application

Street Location of Property: 136 Broadway Ave N  
 Legal Description of Property: \_\_\_\_\_  
 Current Zoning of Property: B-1 Central Business Proposed Zoning: \_\_\_\_\_  
 Type of Request: Site plan review for addition  
 \*\*\* (Attach narrative describing details of project scope) \*\*\*

Property Owner: Granite Corp Plumbing Inc  
 Name: 136 Broadway  
 Address: Foley MN 56329  
 Phone: 320-980-2463  
 Fax: 320-968-6351  
 Email: GFGURBA@Yahoo.com

Applicant: GARY GURBA  
 Name: 253 Broadway  
 Address: Foley MN 56329  
 Phone: 320-980-2463  
 Fax: 320-968-6351  
 Email: \_\_\_\_\_

## Type of Request & Fee Amount:

<input type="checkbox"/> Rezoning/Amendment	\$150.00
<input type="checkbox"/> Conditional Use Permit	\$150.00
<input type="checkbox"/> Variance	\$150.00
<input type="checkbox"/> Planned Unit Development	\$150.00

<input type="checkbox"/> Preliminary Plat	\$500.00
<input type="checkbox"/> Final Plat	\$
<input type="checkbox"/> Annexation	\$150.00 +
<input checked="" type="checkbox"/> Site Plan Review/Other	\$
<b>Total Fees Paid</b>	<b>\$</b>

Has a request been made previously on this property? ☒ Yes ☐ No Explain: 2008 Bldg Addition

**This application must be completed in full, be typewritten or clearly printed, and must be accompanied by all information, supporting documents and plans as required by applicable City Ordinance provisions. A determination of completeness of the application shall be made within ten business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant.**

**This is to certify that I am making application for the described action by the City and that I am responsible for all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application. I have attached a copy of proof of ownership (either copy of Owner's Duplicate Certificate of Title, Abstract of Title or purchase agreement), or I am the authorized person to make this application and the fee owner has also signed this application.**

- ☐ Supporting Documents Attached
- ☐ Appropriate Fees Paid
- ☐ Review by City Staff
- ☐ Completed Application Accepted

Application Filed: 3/21/18  
 Date Fees Paid: N/A  
 Staff Initials: GB  
 Date Application Accepted: \_\_\_\_\_

Signature of Applicant

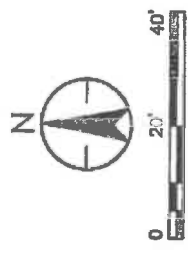
Date

Signature of Fee Owner

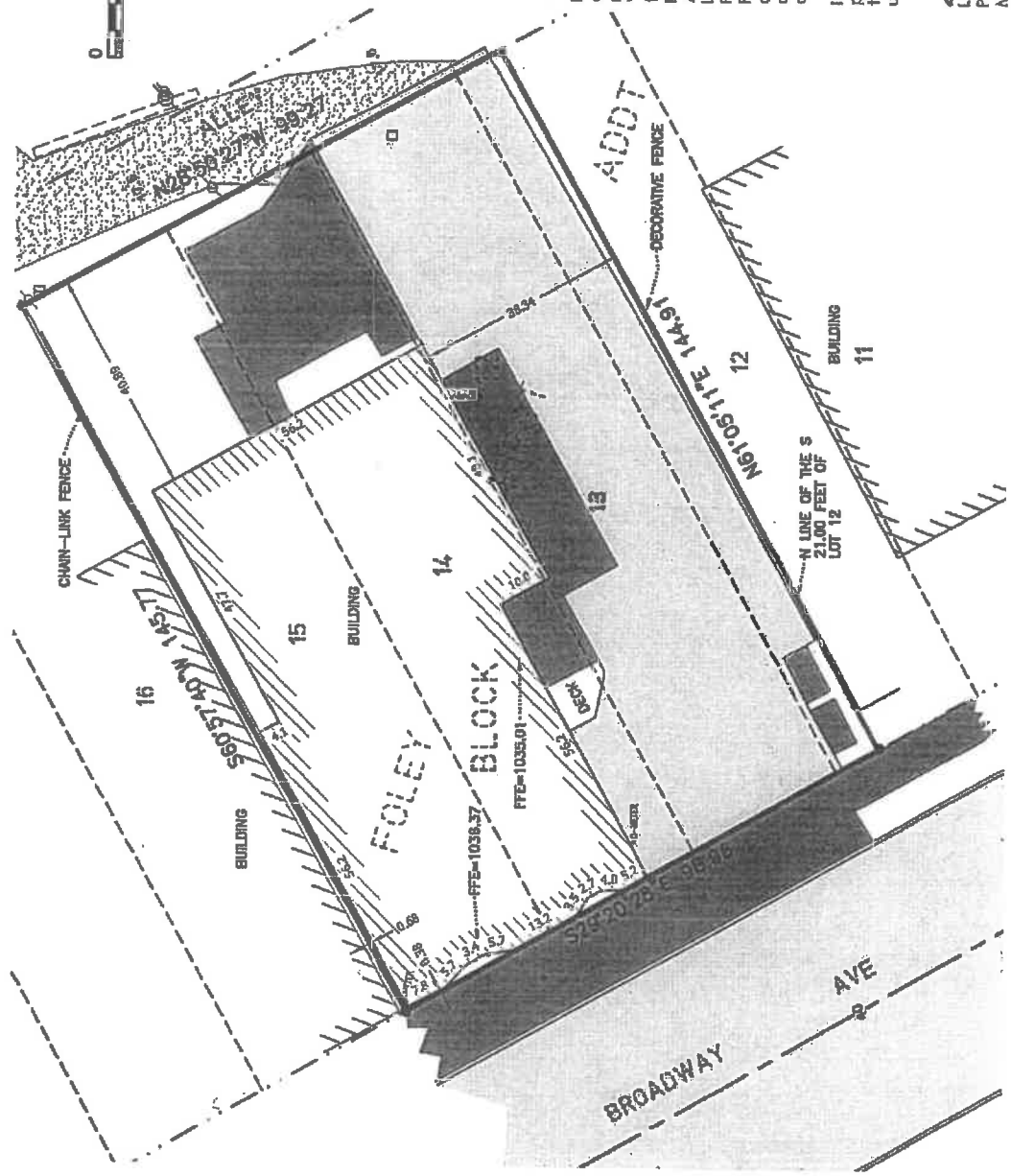
Date

# CERTIFICATE OF SURVEY

BENCHMARK  
TNH @ NE QUAD OF  
BROADWAY AVENUE AND  
DEWEY STREET.  
ELEVATION = 1041.08



- LEGEND**
- FOUND MONUMENT
  - G-METER
  - ⊙ GAS METER
  - ⊙ GUY POLE
  - CATCH BASIN
  - ⊙ POWER POLE
  - ⊙ COMMUNICATION PED
  - CONCRETE SURFACE
  - ▨ ASPHALT SURFACE
  - ▨ GRAVEL SURFACE



**LEGAL DESCRIPTION**  
Lot numbered Twelve (12) in Block Twelve (12), except the Southern Twenty-one (21) feet of said Lot numbered Twelve (12). Foley's First Addition to the Village of Foley, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for said County, AND  
Lots numbered Thirteen (13), Fourteen (14) and Fifteen (15) in Block numbered Twelve (12) all in Foley's First Addition to the Village of Foley, according to the plat and survey thereof on file and of record in the office of the Register of Deeds in and for said County.

I hereby certify that this CERTIFICATE OF SURVEY was prepared by me or under my direct supervision and that I am a duly Licensed Professional Land Surveyor under the laws of the State of Minnesota.

*Linda H. Brown*  
Linda H. Brown,  
Professional Land Surveyor  
Minnesota License Number 23682  
March 30, 2018

**Stantec**

**St. Cloud Office**  
3717 23rd Street South  
Saint Cloud, MN 56301  
Phone: 320-251-4531  
Fax: 320-251-4232  
WebSite: www.stantec.com

SURVEY BY:	MMA
DRAWN BY:	REH
DESIGNED BY:	REH
CHECKED BY:	LVH
APPROVED BY:	LVH
DATE:	3/30/2018

**GARY GRUBA**  
CERTIFICATE OF SURVEY  
130 BROADWAY AVE N  
FOLEY, MN

193804252
193804252
SHEET NUMBER
V101

1

NEW  
TORAGE

1

Fence

LOADING AND STAGING AREA

EXISTING LIGHT

EXISTING WAREHOUSE

56 x 48

8' OVERHANG

LIGHT

NEW ADDITION

25 x 32

6' OVERHANG

EXISTING LIGHT

EXISTING OFFICE AREA

50 x 57



Good afternoon.

Please see attached site plan application for Neighborhood Plumbing. They are looking to add on to the east side of their property.

I was hoping to get this on planning agenda for next Monday but I'm not sure we have enough here for a drainage plan? Any comments/thoughts on that item?

Let me know if there are any other comments as well.

Thanks.

**Sarah A. Brunn**

**City Administrator**

[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)

Since they are replacing impervious parking lots with a building expansion..... the stormwater concern is minimal. My only comment is that they should plan on gutters / downspouts to avoid roof runoff from draining onto the property to the north of them.

Thanks

Jon M. Halter, P.E. | Associate | Project Manager  
SEH | 1200 25th Avenue South | P.O. Box 1717 | St. Cloud, MN 56302-1717  
320.229.4344 direct | 320.250.6084 cell | 888.908.8166 fax  
[www.sehinc.com](http://www.sehinc.com)  
SEH--Building a Better World for All of Us™

Just a few questions/comments:

1. Setback is whatever fire code requires, so I'll leave that to Nancy.
2. What's the exterior finish? If it's steel it has to meet Section 15 Subd. 5.3.
3. Is there a dumpster and trash enclosure? If so it has to be shown. See Section 15 Subd. 6.3.
4. Parking details are not shown. See Section 15 Subd. 6.8.
5. Any landscaping, lights, fencing/screening? See Section 15 Subd. 6.9 -6.11.

Adam A. Ripple

Attorney

RINKE NOONAN

They are zoned B-1 – Nancy do you have any comments on a fire code setback?

I am checking on exterior finish, landscaping and lighting.

The dumpster is a good point – Mark, have they moved it to the new lot they just purchased or am I thinking of a different one?

Since it's B-1 they have no off-street parking requirements except they must note handicap spaces, loading and snow storage?

**Sarah A. Brunn**

**City Administrator**

[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)

There is fire truck accessibility on three sides, so no concerns.

Nancy Scott, CBO2099

AllSpec Services, LLC

320-293-5298

Yes, they moved the dumpsters down to the new lot across the alley, but they are not enclosed down there. We should probably address this and require them to be fenced during this current request.

Thanks, Mark

**Mark Pappenfus**

## **Sarah Brunn**

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**From:** Mark Pappenfus <foleypwks@cloudnet.com>  
**Sent:** Tuesday, April 10, 2018 1:02 PM  
**To:** Sarah Brunn  
**Subject:** Golf Court Street Lights  
**Attachments:** Stone Creek Street Lights.pdf

Sarah,

As Council requested, here is what I found out about installing street lights down along Golf Court in the Banks of Stone Creek addition.

I met with a rep of East Central Energy to look at light placement. On the attached map is what he is recommending:  
-Where the red X is on the map they will install an arm on the existing wood pole and a Cobra style light head to light this intersection. This is the same style street lights that we have on most wood poles in the residential areas of town and will be an LED light.

-Where the 3 red dots are on the map along the West & North sides of Golf Court they will install a decorative style street light & post. These lights will look similar to the street lights in Lange Estates except that they will be LED lights.

The cost to install these 4 lights will be \$2,800.00 complete.

We will have a monthly charge (same as existing lights) for the Cobra style light of \$7.69 per month and \$8.57 per month for each of the 3 decorative style lights – total additional charge of \$33.40 per month.

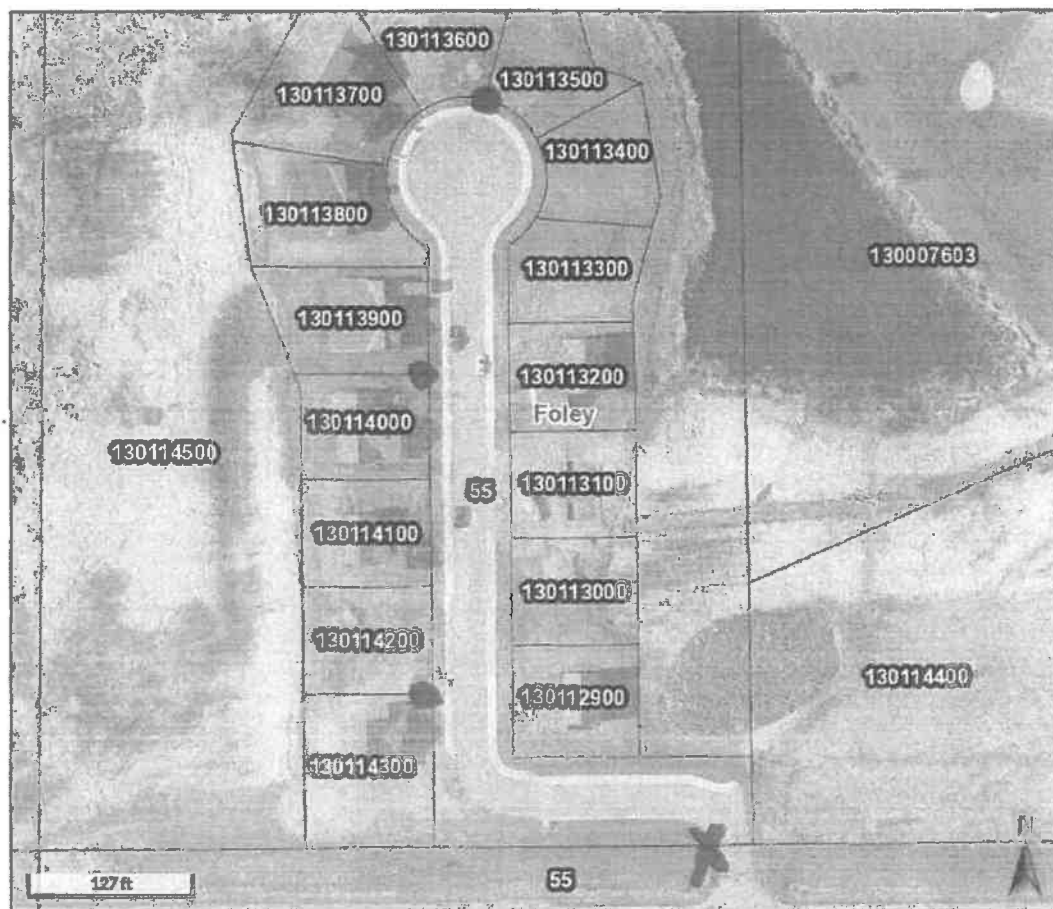
Do we want to talk to the Developer about possibly assisting in this project?

We will probably want to run these numbers past the Council at the May Meeting.

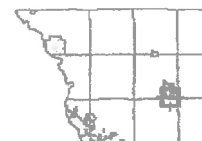
Let me know if they need anything else.

Thanks, Mark

**Mark Pappenfus**  
**City of Foley Public Works Director**  
**320-290-9186**



#### Overview



#### Legend

##### Municipalities

 CITY

 TWP

 Parcels

 Highways

Parcel ID	55	Alternate ID	n/a	Owner Address	n/a
Sec/Twp/Rng	n/a	Class	n/a		
Property Address		Acreage	n/a		
District	n/a				
Brief Tax Description	n/a				
(Note: Not to be used on legal documents)					

Date created: 4/2/2018

Last Data Uploaded: 4/2/2018 7:23:00 AM



Developed by  
The Schneider Corporation

James and Danielle Wallace

160 Hill St.

Foley, MN 56329

Re: Shed in City Right of Way

Dear Ms. Wallace:

This letter is a follow up to your visit to City Hall on Monday April 23, 2018 regarding your shed. As you know from discussions last July, your shed is located in City right of way behind your house at 160 Hill Street. The City's prior decision not to vacate the public right of way remains unchanged. However, the City's offer to work with you on addressing the encroachment, as outlined in my July 28, 2017 email, also remains.

To be clear, the City is not asserting any ownership interest in the shed. You remain responsible for the shed and any issues or claims arising from it, regardless of its encroachment in the public right of way. Further, the City will not pay to move or remove private personal property such as your shed. That is your responsibility and requires a city permit as you acknowledged in your July 26, 2017 correspondence to the City.

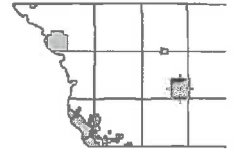
The City looks forward to you promptly addressing this issue by voluntarily eliminating the encroachment or entering into an encroachment agreement with the City. The City wishes to avoid having to pursue the forced abatement of the encroachment, which will result in a judgement against you and a lien on your property.

Sarah A. Brunn

Foley City Administrator



#### Overview



#### Legend

##### Municipalities

 CITY

 TWP

 Parcels

 Highways

<b>Parcel ID</b>	130055100	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	JAMES WALLACE &
<b>Sec/Twp/Rng</b>	25-037-029	<b>Class</b>	201 - RESIDENTIAL		DANIELLE WALLACE
<b>Property Address</b>	160 HILL AVE	<b>Acreage</b>	n/a		160 HILL AVE
	FOLEY				FOLEY, MN 56329
<b>District</b>	FOLEY				
<b>Brief Tax Description</b>	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY Lot-005 Block-003				
	(Note: Not to be used on legal documents)				

Date created: 4/27/2018  
Last Data Uploaded: 4/27/2018 7:05:55 AM

 Developed by  
The Schneider Corporation

**TO:** FOLEY CITY COUNCIL  
**FROM:** SARAH BRUNN, CITY ADMINISTRATOR  
**SUBJECT:** 05-01-18 COUNCIL MEETING  
**DATE:** APRIL 26, 2018

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### **Consent Agenda**

A number of proposed police department hires are presented in the consent agenda. These have been reviewed with personnel committee. A separate memo from Chief McMillin on these hires and the transition is included in your packet. Please note that Mr. Lindgren is the next in line for seniority of the part-time officers interested in full-time employment.

We are recommending 2 assistant pool managers for approval on the consent agenda. The public works director and myself interviewed 4 candidates and also consulted with the outgoing pool manager when making the selections. Because of availability of the candidates we decided to do 2 assistant manager positions. Assistant Manager I will be higher than II. We have not decided which of these individuals will be moving up to the pool manager later this season or next season. Our outgoing pool manager, Kim Bartholemey, will be available by phone and intermittently on-site throughout the summer to help with the transition. The two assistant managers will be the 2 individuals responsible for the day-to-day operations of the swimming lessons and open swim over the course of the summer. As soon as this decision is made we will proceed with the additional seasonal hires.

Your agenda includes adjustment to the seasonal wage rates. An adjustment was necessary due to the increase in minimum wage for inflation. When we adjust the starting wages we also make adjustment to the other seasonal rates accordingly.

A resolution is included in your packet amending the EFT policy. Some changes in state statutes and the city utilizing more electronic payments are requiring this change. This policy was reviewed during our audit last week. In addition to the policy, state statute now requires the designation of who is allowed to authorize EFT receipts/payments. This designation is included in your consent agenda and moving forward will be a part of the annual appointments.

### **Public Hearing – Mr. Jim’s Liquor Transfer to Tammy DeMarias**

Due to the death of Jim DeMarias who was the liquor license holder for Mr. Jim’s, we are required to do a transfer. This transfer is contingent on a successful background check and the city staff and state approving the final application.

### **2018 Improvement Project – Awarding of Bid**

In your packet is a draft resolution and the results of the bids received on this morning’s opening. The City Engineer needs to tabulate those bids and will bring forth a recommendation for council approval at the meeting on Tuesday.

### **130 Broadway Ave N – Site Plan Review**

The planning commission reviewed a site plan for Gary Gruba at its last meeting. The information and recommended contingencies are included in your packet. The planning commission and staff recommend approval with the listed conditions.

**Discussion on Golf Court Street Lights**

The public works director obtained information on installing street lights out in Golf Court estates and it is included in your packet. I checked into the meeting minutes and memos on the plat approval from a few years ago and found nothing specific to the developer being required to install street lights. The council can discuss how they would like to move forward.

**Discussion on Encroachment Issue**

We have an encroachment issue at 160 Hill Avenue where a property owner many years ago built a shed on city property abutting their owner private yard. We have been in discussion with this property owner for many months and the property owner is demanding the city remove the structure. Staff has looked into a couple options and is recommending sending the letter included in your packet to the property owner at 160 Hill, which gives them permission to remove the shed at their cost.

**Update on Wastewater Facility Plan**

Staff has been working through the issues of the facility plan and have come up with a potential alternative solution to mitigate some costs and process in getting approved. At the meeting, staff will overview revised growth projections which would reduce our expanded flow and eliminate the need to perform an EAW (Environmental Assessment Worksheet). We anticipate a meeting with the MPCA in the near future and request council consideration of these revised flows before that meeting occurs.

**Upcoming Reminders**

- Foley Fun Days coming soon.....June 18-20!