



**City Council – Meeting Agenda  
October 3, 2017 – 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 September 5, 2017.
  - Approve minutes of September 21, 2017.
  - Approve Dewey Street Construction Agreement with Benton County.
  - Adopt Resolution # 2017-27 Accepting Donation
  - Adopt Resolution #2017-28 Variance for State Aid Operation
  - Approve payment of bills.
5. Presentation of Gopher Avenue Street Reconstruction & Broadway Ave S Sidewalk Extension
  - Overview of Project – City Engineer, Jon Halter
  - Adopt Resolution #2017-29 Receiving Feasibility Study and Calling for Public Hearing
6. Mayor's Comments & Open Forum.
7. Department Reports:
  - Police Department –Katie McMillin
  - City Attorney – Adam Ripple
  - City Engineer – Jon Halter
    - Update on wastewater facility plan.
  - Public Works – Mark Pappenfus
    - AET – Acknowledgement/Agreement of Services
  - Administration – Sarah Brunn
8. Old Business
9. New Business
10. Adjourn

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 4<sup>th</sup> 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'Moncaux - 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

CITY OF FOLEY, MINNESOTA  
SPECIAL CITY COUNCIL MEETING – September 21, 2017

The Foley City Council held a special meeting on September 5, 2017, at 12:00 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 Gondeck, seconded by du'Monceaux, to approve the agenda. Motion carried, unanimous.

**City Land Sale – 320 Broadway Avenue N**

Motion by du'Monceaux, seconded by Swanson, to approve the land sale by adopting Resolution #2017-26 Authorizing Land Sale. Motion carried, unanimous.

**Discussion on Small Cell Tower Moratorium**

City Administrator Brunn gave an overview of the provided moratorium ordinance and explained that the city will be required create an ordinance to address these items by January 1, 2018.

Changes in state law this past session are driving these changes and legal has a draft started.

Motion by Gondeck, seconded by Swanson, to adopt Ordinance 430 – Small Cell Towers Moratorium. Motion carried, unanimous.

**Other Business**

Brunn updated the council on the wastewater facility plan and the need to call another workshop session in the near future.

Motion by Gondeck, seconded by du'Monceaux, to adjourn at 12:12 p.m.

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Sarah A. Brunn, Administrator

# **Bills List - October 3, 2017**

Gross Salaries	Payroll - 9/15/17	\$	23,859.30
EFTPS	Federal Withholding	\$	5,017.43
MN Dept of Revenue	State Withholding	\$	1,027.02
State Treas. PERA	PERA	\$	4,238.11
Nationwide	Deferred Comp	\$	620.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	85.00
MN PEA	Union Dues	\$	78.00

Gross Salaries	Payroll - 9/29/17	\$	23,681.07
EFTPS	Federal Withholding	\$	5,172.22
MN Dept of Revenue	State Withholding	\$	1,070.86
State Treas. PERA	PERA	\$	4,196.34
Nationwide	Deferred Comp	\$	620.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	85.00
MN PEA	Union Dues	\$	-

## ***Already Paid - 10/3/17***

Advanced Disposal	Gargage	\$	567.21
Cloudnet	Email Server Fee	\$	10.00
F.I.R.E.	Fire Training	\$	400.00
Midco	Internet Services	\$	125.00
Resource Training & Solutions/BCBS	Employee Health Insurance	\$	8,220.00
Sun Life Financial	Employee Long Term Disability Insurance	\$	178.71
TCIC, Inc	Calamp Repair	\$	543.00
Temple Display	Reapris & Maint	\$	4,890.12
USable Life	Employee Life Insurance	\$	284.78
Wimactel Inc	Pool Phone	\$	60.00

## ***To Be Paid - 10/3/17***

Adam Foss	Mowing	\$	50.00
Alert-All Corp	FD Equipment	\$	945.00
Alex Air Apparatus	FD Equipment	\$	30,445.00
AllSpec Services	Inspection Services	\$	4,135.80
Allstream	Phone System	\$	864.52
Auto Value	Sewer & Street Maint	\$	59.97
AWWA - Minnesota Section	Operator Trainings	\$	90.00
Axon Exterprise	PD Equipment	\$	683.10
Batteries Plus	FD Batteries	\$	45.60
Benton County Attorney	Legal Fees	\$	1,281.50
Benton County Highway Dept	Fuel	\$	383.81
Benton County News	Publications	\$	608.95
Benton County Recorder	Resolution Recording	\$	181.00
Cathy Theis	PD Services	\$	137.50
Central McGowan	FD & PD Supplies	\$	53.73
Cheap Toilet Tank Lids	Toilet Tank Lids	\$	307.37
Coborn's	City Hall & Fire Supplies	\$	137.12
Custom Surfacing	Blacktop Street Patching	\$	8,950.00
Delta Dental	Employee Dental Insurance	\$	1,148.75
Diamond Vogel Paint	Street Paint	\$	89.00
Dirtworks 2000	Ditch Cleaning	\$	1,305.00
Ehlers	TIF Reporting	\$	115.00
Emergency Response Solutions	FD Supplies	\$	1,074.11
Farm-Rite Equipment	Hydraulic Breaker	\$	6,115.00

F.I.R.E.	FD Training	\$	900.00
FIRE-CATT	FD Hose Testing	\$	2,647.25
First National Bank of Omaha	Credit Card Purchases	\$	494.95
Foley Fuel & Lumber	Park & Street Supplies	\$	109.97
Foley Hardware	Public Works Repairs & Maint	\$	672.94
Foley Medical Center	FD Physical	\$	170.99
Frieghtliner of St. Cloud	Street Supplies	\$	162.63
G&K Services	Uniforms & Mats	\$	436.44
Granite Electronics	Street Antenna	\$	69.50
Hawkins	Water Chemicals	\$	1,315.54
KM Fire Pump Specialists	FD Pump Testing	\$	600.00
Larry Nadeau	Fire Cheifs Coference Registration	\$	300.00
League of MN Cities	Insurance	\$	36,247.00
Locators & Supplies	Diamond Blades (Shipping)	\$	12.30
Mahler & Assocaites Architecture	City Hall Window/Window & Door Mock-Up	\$	455.00
Marco	Copier Contract	\$	305.91
M.E. Plumbing & Heating	Pump House Service	\$	99.00
Mimbach Fleet	Street Maint & Supplies	\$	182.99
MN Pipe & Equipment	Street-Polyseal Pipe	\$	80.00
MN Dept of Revenue	Sales & Use Tax	\$	145.00
Minnesota Fire Service Cert. Board	FD Recertification	\$	325.00
Murphy Chevrolet	PD Squad Repairs	\$	703.09
MR Sign	Street Supplies	\$	875.54
Peplinski	Park Supplies	\$	563.85
PQL	Lighting	\$	436.86
Preferred Controls	Sewer Power Supply	\$	195.00
Red's Auto Electric	Vac Truck	\$	172.98
RevTrack	Credit Card Fee	\$	278.05
Rinke Noonan	PD Union, Blue Water Sands, & General Legal	\$	1,327.00
Select Account	FSA Reimbursement & Fees	\$	53.80
Short Elliott Hendrickson	Waste Water Treatment Fac., 4th Ave, Star Parking, I&I, Dewey, Genergal Engineering	\$	36,090.05
Stearns DHIA Central Lab	Water Testing	\$	718.00
Superior Solutions	Christmas Decorations	\$	1,296.00
UPS	Delivery Charges	\$	30.90
Verizon	Cell Phones Charges	\$	295.38
Werner Electric	Sewer Supplies	\$	148.91
Xcel Energy	Utilities	\$	5,322.39

*Additional To Be Paid - 10/3/17*

\$ 230,664.63

**ADMINISTRATION AGREEMENT  
BETWEEN THE COUNTY OF BENTON  
AND  
THE CITY OF FOLEY  
TO**

Administer the contract for Benton County SAP \_\_\_\_\_, which includes the reconstruction of CSAH 27 (Dewey Street), from the bridge over Stoney Brook Creek to Norman Avenue, and the City of Foley project for utilities on CSAH 27 (Dewey Street) in 2017.

**PARTIES**

This agreement is entered into by the County of Benton (the “County”) and the City of Foley (the “City”).

**RECITALS**

The County proposes to reconstruct CSAH 27, known as Dewey Street in the City of Foley (“County Project”) and the City proposes to construct certain City owned utilities on CSAH 27 (“City Project”).

It is determined that coordination of the County Project and City Project (collectively “Joint Project”) have mutual benefits to each party; and therefore the two projects shall be let out for bids collectively.

The Joint Project shall be constructed in 2017.

No new right of way is required for the Joint Project.

**CONTRACT**

1. The Recitals are incorporated into this Agreement.
2. The City’s engineer will prepare preliminary plans and construction plans for the Joint Project. The County will be provided a copy of those plans for comment and approval prior to acceptance of the plans. The City will be solely responsible for its own errors or omissions and the results thereof to the extent authorized by law. All project documents shall be jointly owned by the County and the City.
3. The City shall advertise for bids, open bids, prepare an Abstract of Bids indicating the costs of the Joint Project, and award the contract upon concurrent approval from the County.
4. The City shall perform the construction inspection for the Joint Project. The City will follow the Schedule of Material Control of MnDOT State Aid.
5. The County and City in conjunction with SEH, the City’s engineer, shall perform all necessary coordination with MNDOT relative to the Joint Project.



6. The County shall reimburse the City for County Costs appearing on the monthly payments to the contractor. An itemized cost schedule is attached hereto.

7. The City shall retain 5% of the estimated costs from the estimated project total to be paid to the contractors until the Final Contract Voucher is prepared by the City.

8. The City shall prepare the Final Contract Voucher for payment upon final acceptance of the County Project by the County. Retainage shall be released upon final acceptance by the County and receipt of all required documentation for the Joint Project.

9. The Parties shall each be entitled to copies of all documents related to the Project, including as-built or record drawings.

### COSTS

10. The Parties agree that construction costs of the Joint Project shall be allocated as shown in **Exhibit A** (additional City alternatives are shown for 2<sup>nd</sup> and 3<sup>rd</sup> Avenues). Changes to the scope of the Joint Project may alter this allocation. The current estimates for the Joint Project are provided in **Exhibit A**, but **Exhibit A** shall be revised once a contract is awarded to reflect actual bid prices. The Parties agree to reallocate costs in writing if the scope of the Joint Project changes significantly according to the County cost sharing policy attached as **Exhibit B**.

11. The design engineering is estimated to be \$12,000. The design engineering costs, based on present estimates, will be allocated 25% to the City and 75% to the County; the percentages may change once final bid prices are known. The County shall pay actual invoice prices for time worked on engineering items that are the responsibility of the County to pay for.

12. The City agrees to pay for any soil borings necessary for 2<sup>nd</sup> and 3<sup>rd</sup> Avenues alternatives.

13. The City and County agree to pay for the design, construction engineering, and construction geotech based upon each Parties' allocated percentage of the Joint Project's construction costs. The present percentages, based on the present estimates in **Exhibit A** are 25% to the City and 75% to the County; the percentages may change once final bid prices are known and **Exhibit A** is revised accordingly. Construction engineering shall be based upon actual construction costs.

14. The County and the City each have established methods to finance and fund its portion of the construction and engineering costs.

15. SEH will prepare intermediate pay estimates based on construction progress and allocate the costs between the City and County according to this Agreement and forward to City and County prior to submittal to the contractor. The County shall pay its portion to the City within 21 days and the City shall make all payments to the contractor directly for all pay estimates.

16. Each party shall be responsible for its staff and consultant costs unless specified in this Agreement.

**MISCELLANEOUS**

17. All design changes shall be mutually agreed to by the Parties. The County must approve the modification of any "Major Item" as defined by MnDOT's Standard Specifications for Construction.

18. All future maintenance of the County Project shall be the responsibility of the County and all future maintenance of the City Project shall be the responsibility of the City. The Parties may contract for maintenance by separate agreement.

19. Each party shall maintain commercial general liability insurance. Each party shall be liable for its own acts and agrees to indemnify, defend, and hold harmless the other, its officers, and employees against any liability arising out of any act or omission by the indemnifying party. Nothing in this Agreement shall constitute a waiver of the limits of liability or immunities of any party provided by Minnesota Statutes Chapter 466. The City agrees to provide an indemnity for the variance to the project in accordance with Minnesota Rules Chapter 8820.

20. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement or their successors in office.

21. This Agreement contains all negotiations and agreements between the parties. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

22. This Agreement is effective on the date of execution and signatures of each party and will remain in effect until the completion of the contract.

**COUNTY OF BENTON**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
County Attorney

By: \_\_\_\_\_  
Its Chair, Board of Commissioners

Date: \_\_\_\_\_, 2016

**RECOMMENDED FOR APPROVAL:**

\_\_\_\_\_  
County Engineer

By: \_\_\_\_\_  
Its County Administrator

Date: \_\_\_\_\_, 2016

**CITY OF FOLEY**

By: \_\_\_\_\_  
Its Mayor

Date: \_\_\_\_\_, 2016

By: \_\_\_\_\_  
Its City Administrator

Date: \_\_\_\_\_, 2016

*<preliminary>*



EXHIBIT B

BENTON COUNTY DIVISION OF COST POLICY (REV. 11/5/2002)

This division of cost policy is based on the basic premise that the County pay costs peculiar to County needs and municipalities pay costs peculiar to municipal or local needs. This policy is applicable to County Roads and County State Aid Highways except as noted.

RECOMMENDED ITEM PARICIPATION  
OF BENTON COUNTY

	Benton County Percentage
<u>RIGHT OF WAY</u>	
Rural	100% *
Municipalities	100% *
State Aid Eligible Municipalities	**
<u>GRADING</u>	
Rural & Municipalities	100% *
<u>SURFACING</u>	
Rural & Municipalities	100% *
<u>CONCRETE CURB &amp; GUTTER</u>	
Township & Municipalities	100% *
<u>CONCRETE DRIVEWAY ENTRANCES</u>	
Townships & Municipalities	100% *

\* 100% for minimum design standards and projected vehicle traffic.

\*\* County State Aid or County funded construction projects within the limits of a City (that meets the criteria for a Municipal State Aid City) will require the city to purchase all right of way, temporary easements and permanent easements required to construct the project.

STORM SEWER

Cost participation is based on the State-Aid formula for both CSAH and CR roadways as defined in the State-Aid Manual.

Storm sewer collection mains, outlet mains and their manholes are eligible in the ratio that the drained area of the State Aid Street Right of Way bears to the total area drained, except that the area of the State Aid Street should be multiplied by a factor between 1.0 and 2.0, depending on runoff characteristics.

Catch basins and leads, within the county road and at the curb returns of side street entrances that drain onto the county road, are eligible for 100% State-Aid funds, except where a catch basin is serving as a manhole on the storm sewer main. Catch basin castings on these structures shall be part of the catch basins and lead costs.

Limits of **County** participation will be up to 75% maximum of the cost of the system adequate to serve the State Aid Street and the immediate adjacent tributary area.

Local areas outside of the immediate adjacent tributary area of the State Aid Road or County Road can be drained into the proposed State Aid System or **County Road System** by oversizing the basic system at 100% city cost.

No credit is allowed to a municipality for an inplace storm sewer system.

	Benton County Percentage	
<u>SIDEWALK</u>		
Rural & Municipalities	0%	New
	100%	Replacement (Except where County Engineer deems existing to be not serviceable)
<u>MUNICIPAL UTILITY RELOCATION OR RECONSTRUCTION-ROADWAYS</u>		
Township & Municipalities	0%	Township and/or Municipality is responsible for any relocation or reconstruction if utility is located on existing right of way.
<u>MUNICIPAL UTILITY RELOCATION OR RECONSTRUCTION-BRIDGE</u>		
Rural & Municipalities	0%	
<u>PRIVATE/PUBLIC (non-municipal) UTILITY RELOCATION OR RECONSTRUCTION</u>		
	0%	If the initial installation was within County right of way

TRAFFIC SIGNAL/SEMEPHOR INSTALLATION

Rural	100%	
Municipalities *		<p>Cost participation will be based on the number of county owned “legs” of the intersection . In a standard 4-way intersection with one leg county road: participation is 25%. If two legs of intersection are county roads: participation is 50%, etc.</p> <p>* Municipalities shall furnish required electric power. Maintenance for signal systems on county roads (except by negotiated agreement) shall be furnished by Benton County. Maintenance costs will be divided proportionally between the municipality and county based on the number of county road “legs “ leading to the intersection.</p>

BRIDGES

Townships & Municipalities	Determined from State Aid Rules and Statute
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LIGHTING

Rural & Municipalities	0%	New installation
	100%	For revision or adjustment to existing installation (except for new lighting standards or where County Engineer deems the existing installation to be not serviceable)

ENGINEERING-DESIGN OR CONSTRUCTION

Townships & Municipalities		<p><u>Engineering by Benton County</u> The Twp. &amp; Munic. will reimburse The County for engineering costs equal to an agreed percentage of the Twp. &amp; Munic.’s share of the construction projects costs. However, the Townships will not be charged for the first \$500 of engineering (non-consultant) services provided each year.</p> <p><u>Engineering by Municipality</u> The County will reimburse the Municipality for engineering costs equal to an agreed percentage of the County’s share of the construction project costs.</p>
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PUMPING STATIONS

Townships & Municipalities	100%	The cost of electricity & maintenance will be a Township & Municipality responsibility.
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PROJECT AUTHORIZATIONS

A County State Aid or County funded road construction or drainage project proposed to be constructed within the limits of a city eligible for Municipal State Aid funds will require a City Council Resolution of support prior to the project being included in the 5 year road program.



COUNTY BOARD ACKNOWLEDGEMENT

Motion by Commissioner Duane Walter to adopt the  
above **Benton County Division of Cost Policy** to be effective the date of adoption.

Second by Commissioner Duane Grandy

Motion Carried.

County of Benton

State of Minnesota

I, Joan Neyssen, County Auditor/Treasurer within and for said County do hereby certify that the  
forgoing motion is a true and correct copy of the action taken by the County Board of  
Commissioners on November 5<sup>th</sup>, 2002, and filed in my office.

Dated at Foley, Minnesota

This 5<sup>th</sup> day of November, 2002.

Joan Neyssen  
(Benton County Auditor/Treasurer)

CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA

RESOLUTION 2017 - 27

A RESOLUTION ACCEPTING DONATION

WHEREAS, the City of Foley encourages public donations to help defray the costs of the general public of providing services and improve the quality of life in Foley, and

WHEREAS, the Duelm Area Lions Club has offered to donate \$1,500.00 to be used towards the purchase of fire equipment, and

WHEREAS, Minnesota Statutes 465.03 requires that all gifts and donations of real or personal property be accepted only with the adoption of a resolution approved by two-thirds of the members of the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Foley, Benton County, Minnesota, that this donation is hereby accepted for use by the City of Foley.

BE IT FURTHER RESOLVED that the City extends its sincere appreciation to the Duelm Area Lions Club for their generous donation.

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota, this 3rd day of October, 2017.

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Gerard L. Bettendorf, Mayor

ATTEST:

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Sarah A. Brunn, City Administrator

CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA

RESOLUTION 2017 - 28

A RESOLUTION REQUESTING A VARIANCE FROM STANDARD FOR STATE AID  
OPERATION FOR PROJECT NO. S.A.P. 005-627-004

WHEREAS, the City of Foley is preparing plans for CSAH 27 (Dewey Street) from Norman Avenue to Stony Brooke Creek; and

WHEREAS, Minnesota Rules for State Aid Operation 8820.9961 require the width of the 45 degree angled parking be 20 feet for roads with an ADT less than 3,000; and

WHEREAS, the reasons for this variance requests is that the City of Foley and Benton County desire to create a safer environment for pedestrians. Downtown Foley commercial businesses drive a significant amount of pedestrian traffic and state aid standards would only allow for 6.33-foot wide sidewalks on either side of 4th Avenue. The variance request is to narrow the width of the 45 degree diagonal parking by 2 feet to a width of 18 feet. This would allow the sidewalk widths to increase to 8.33 feet, which will function better and provide a safer walkway for the pedestrians in this commercial area. The 2 foot reaction area between the drive lanes and the diagonal parking will be maintained, and present ADT is less than 3000.

NOW, THEREFORE BE IT RESOLVED, that the City Council does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9961 (Minimum Design Standards for 45- Degree and 60-Degree Pull-In Diagonal Parking) to allow (45 degree diagonal parking stall widths of 18 feet) in lieu of (45 degree diagonal parking stall widths of 20 feet);

BE IT FURTHER RESOLVED, that the City Council hereby indemnifies, saves, and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the proposed Dewey Street Improvements in accordance with Minnesota Rules 8820.9961 and further agrees to defend at their sole cost and expense any action

or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

PASSED AND ADOPTED by unanimous vote of the Foley City Council, this 3<sup>rd</sup> Day of October, 2017.

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

ATTEST:

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



# Feasibility Report

## 2018 Gopher Avenue Improvements

Foley, Minnesota

FOLEY 138502 | October 3, 2017



Building a Better World  
for All of Us®

Engineers | Architects | Planners | Scientists



Building a Better World  
for All of Us<sup>®</sup>

October 3, 2017

RE: 2018 Gopher Avenue Improvements  
Feasibility Report  
Foley, Minnesota  
SEH No. FOLEY 138502 4.00

Honorable Mayor and City Council  
c/o Ms. Sarah Brunn  
Administrator  
City of Foley  
251 4th Avenue North  
Foley, MN 56329

Dear Mayor and Members of the City Council:

Enclosed is the Feasibility Report for the above referenced improvement. It includes recommendations, probable costs, and proposed assessments.

Please contact me if you have any questions.

Sincerely,

Jon Halter, PE  
City Engineer

mrh  
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Engineers | Architects | Planners | Scientists

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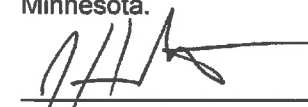
# Feasibility Report

2018 Gopher Avenue Improvements  
Foley, Minnesota

SEH No. FOLEY 138502

October 3, 2017

I hereby certify that this report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.



Jon Halter, PE

Date: 10/03/17

License No.: 45812

Reviewed By: Terrence S. Wotzka, PE

Date: 10/03/17

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                         Preliminary Assessment Worksheet

# Feasibility Report

## 2018 Gopher Avenue Improvements

Prepared for City of Foley, Minnesota

### 1 Introduction

As authorized by the City Council, this Feasibility Report was prepared for improvements to Gopher Avenue and the addition of a sidewalk along Broadway Avenue (see Figure 1). The improvements include reconstruction of streets, water main, sanitary sewer, storm sewer, sidewalks, and turf restoration.

This report contains cost estimates and design recommendations for construction of streets, storm sewer, water main, and sanitary sewer improvements. This report has been developed based on preliminary field observations and discussions with City staff.

### 2 Feasibility and Recommendations

The project, as presented in this report, is both cost effective and feasible from an engineering standpoint. The estimated project costs are presented to assist the City in deciding the feasibility of the project from a monetary standpoint. The improvements are necessary to replace deteriorating streets and utilities in the area.

Based on information presented in this report, we make the following recommendations:

1. Construct utility, street, and drainage improvements as recommended herein.
2. Easements should be dedicated or retained as determined by the final project design.
3. Soil borings should be taken throughout project limits to determine subsurface conditions, such as the presence of high bedrock, soil types, and water table elevations. Final design would be subject to results of the geotechnical evaluation.

### 3 Project Improvements

#### 3.1 Street

##### 3.1.1 Gopher Avenue

The proposed street improvements are shown in Figure 2. The improvements include re-constructing Gopher Avenue to a 28-foot wide urban section roadway. As the trailer park on the west side of Gopher Avenue is redeveloped, an additional 10 feet of right-of-way will be platted for the roadway. However, since the property in the southwest quadrant of Gopher Avenue and Grand Street is not a part of the redevelopment, the right-of-way adjacent to this property will remain at 30 feet wide. This means that the 200 feet of Gopher Avenue will be reduced in width to 22 feet wide as shown on Figure 2. A 6-foot wide concrete sidewalk is proposed on the west side of Gopher Avenue directly behind the curb.

The proposed structural section for Gopher Avenue includes 15 inches of Class 5 aggregate base, 4 inches of bituminous, geotextile fabric, and drain tile.

### 3.1.2 Sidewalk on Broadway

There is a missing segment of sidewalk on the east side of Broadway Avenue between Main Street and Grand Street. This project proposes to add a 6-foot wide concrete sidewalk directly behind the curb on the east side of Broadway Avenue from Grand Street to Main Street.

## 3.2 Storm Sewer

The proposed storm sewer improvements are shown in Figure 2. Concrete storm sewer pipes and catch basins are proposed throughout the improvements to Gopher Avenue and will discharge to the existing storm sewer system on Badger Street. The existing storm sewer on Badger Street is only an 8-inch pipe, which is undersized. This pipe will need to be upsized when Hill Avenue and Badger Street are reconstructed.

## 3.3 Sanitary Sewer

The proposed sanitary sewer improvements are shown in Figure 2. Gravity sanitary sewer mains are proposed to be installed under Gopher Avenue. The main is proposed to be 8-inches in diameter, and this project will re-route the sanitary sewer to drain north along Gopher Avenue and connect to the existing sanitary sewer on Grand Street. Re-routing the sanitary sewer will allow the elimination of the sanitary sewer that currently runs east to west thru the trailer park and under a private home. This will simplify maintenance on the sanitary sewer system in the future.

Sewer services will be constructed from the sewer main to the property line. Residential services will be constructed of 4-inch diameter PVC pipe.

## 3.4 Water Main

The proposed water main improvements are shown in Figure 2. Eight-inch ductile iron water mains are proposed to be installed under Gopher Avenue. This project will re-route the water main to be located under Gopher Avenue and connect to the existing water main on Grand Street. Re-routing the water main will allow the elimination of the water main that currently runs east to west thru the trailer park and under a private home. This will simplify maintenance on the water system in the future.

Water services will be constructed from the water main to the property line. Residential water services will be 1-inch diameter copper pipe.

# 4 Opinion of Probable Cost

Itemized breakdowns of probable cost are presented in Appendix A and Appendix B. The breakdowns are presented to provide insight into the cost of various items of the total project. Total project costs are summarized in Table 1.

Table 1 – Summary of Costs

	Gopher Avenue	Broadway Avenue Sidewalk	Total Project Cost
Construction	\$410,447	\$20,895	\$431,342
Contingency	\$41,045	\$4,179	\$45,224
Engineering	\$73,881	\$5,223	\$79,104
Geotechnical	\$6,157	\$1,045	\$7,202
Legal and Fiscal	\$28,731	\$1,462	\$30,193
Total	\$560,261	\$32,804	\$593,065

# 5 Financial Considerations

The proposed project is a street and utility reconstruction. Generally, this type of improvement is financed through special assessments to benefitting properties in the project area. The City must ultimately decide the method of financing and the time when City fees and charges will be collected.

The following breakdowns are provided to assist the City in determining what portion of the total project cost the City may be responsible for. These figures are estimates and final figures would be determined by City staff at the completion of the project.

## 5.1 Street

Per the assessment policy, it is assumed 30 percent of the street costs for Gopher Avenue are assessable.

Since the properties on the east side of Gopher Avenue don't generally access Gopher Avenue, they are not included in the proposed street assessments for this project. The cost of the frontage on the east side of Gopher Avenue (approx. 50% of the street costs) are assumed a city cost and not included in the assessments. If / when Hill Avenue is reconstructed, the properties between Gopher and Hill will be subject to street assessments.

Table 2 -- Street Costs

	Gopher Avenue	Broadway Avenue Sidewalk	Total Project Cost
Estimated City Cost	\$239,073	\$0	\$239,073
Estimated Assessment	\$42,189	\$0	\$42,189
Estimated Total Cost	\$281,262	\$0	\$281,262

5.2 Sidewalk

In conformance with current City assessment policy for sidewalk construction, it is assumed all lots adjacent to (and across the street from) the sidewalk being constructed will be assessed 30 percent of the sidewalk cost. The City would pay the remaining sidewalk costs.

Since the properties on the east side of Gopher Avenue don't generally access Gopher Avenue, they are not included in the proposed sidewalk assessments for this project. The cost of the frontage on the east side of Gopher Avenue (approximately 50% of the Gopher Avenue sidewalk costs) are assumed a City cost and not included in the assessments. If / when Hill Avenue is reconstructed and sidewalk is added, the properties between Gopher Avenue and Hill Avenue will be subject to sidewalk assessments.

Table 3 – Sidewalk Costs

	Gopher Avenue	Broadway Avenue Sidewalk	Total Project Cost
Estimated City Cost	\$16,090	\$30,696	\$46,786
Estimated Assessment	\$6,160	\$2,108	\$8,268
Estimated Total Cost	\$22,250	\$32,804	\$55,054

5.3 Storm Sewer

In conformance with current City assessment policy for street reconstruction, it is assumed all property within the drainage area, benefited by the proposed storm sewer, will be assessed 30 percent of the City's storm sewer cost. The City would pay the remaining storm sewer cost.

For this report, it is assumed that 50% of the property area of the properties between Hill Avenue and Gopher Avenue drain to Gopher Avenue. Therefore, these properties are subject to the storm sewer assessment of half of their property. The remaining half is assumed to drain to Hill Avenue. If/ when Hill Avenue is improved, these properties would be subject to a storm sewer assessment for whatever area of their lots that were not assessed with the Gopher Avenue project.

Table 4 -- Storm Sewer Costs

	Gopher Avenue	Broadway Avenue Sidewalk	Total Project Cost
Estimated City Cost	\$38,445	\$0	\$38445
Estimated Assessment	\$16,476	\$0	\$16,476
Estimated Total Cost	\$54,921	\$0	\$54,921

## 5.4 Sanitary Sewer

Current City sanitary sewer reconstruction assessment policy is to assess 30 percent of the mainline sanitary sewer costs and 30 percent of the sanitary sewer service cost to benefiting properties; the City would be responsible for the remaining cost.

Since the properties on the east side of Gopher Avenue are served by the sanitary sewer on Hill Avenue, they are not included in the proposed sanitary sewer assessment for this project. The cost of the frontage on the east side of Gopher Avenue (approximately 50% of the Gopher Avenue sewer main costs) are assumed a city cost and not included in the assessments. If / when the Hill Avenue sanitary sewer is reconstructed, the properties between Gopher Avenue and Hill Avenue will be subject to sanitary sewer main and service assessments.

Table 5 – Sanitary Sewer Costs

	Gopher Avenue	Broadway Avenue Sidewalk	Total Project Cost
Estimated City Cost	\$74,166	\$0	\$74,166
Estimated Assessment	\$19,384	\$0	\$19,384
Estimated Total Cost	\$93,550	\$0	\$93,550

## 5.5 Water Main

Current City water main reconstruction assessment policy is to assess 30 percent of the mainline water main cost and 30 percent of the water service cost to benefiting properties; the City would be responsible for the remaining costs.

Since the properties on the east side of Gopher Avenue are served by the water on Hill Avenue, they are not included in the proposed water main assessment for this project. The cost of the frontage on the east side of Gopher Avenue (approx. 50% of the Gopher Avenue water main costs) are assumed a city cost and not included in the assessments. If / when the Hill Avenue water main is reconstructed, the properties between Gopher Avenue and Hill Avenue will be subject to water main and service assessments.

Table 6 – Water Main Costs

	Gopher Avenue	Broadway Avenue Sidewalk	Total Project Cost
Estimated City Cost	\$86,761	\$0	\$86,761
Estimated Assessment	\$21,517	\$0	\$21,517
Estimated Total Cost	\$108,278	\$0	\$108,278

5.6 Financial Summary

In summary, the totals are as follows:

Table 7 – Financial Summary

	Gopher Avenue	Broadway Avenue Sidewalk	Total Project Cost
Estimated City Cost	\$457,535	\$30,696	\$488,231
Estimated Assessment	\$105,726	\$2,108	\$107,834
Estimated Total Cost	\$560,261	\$32,804	\$593,065



## Figures

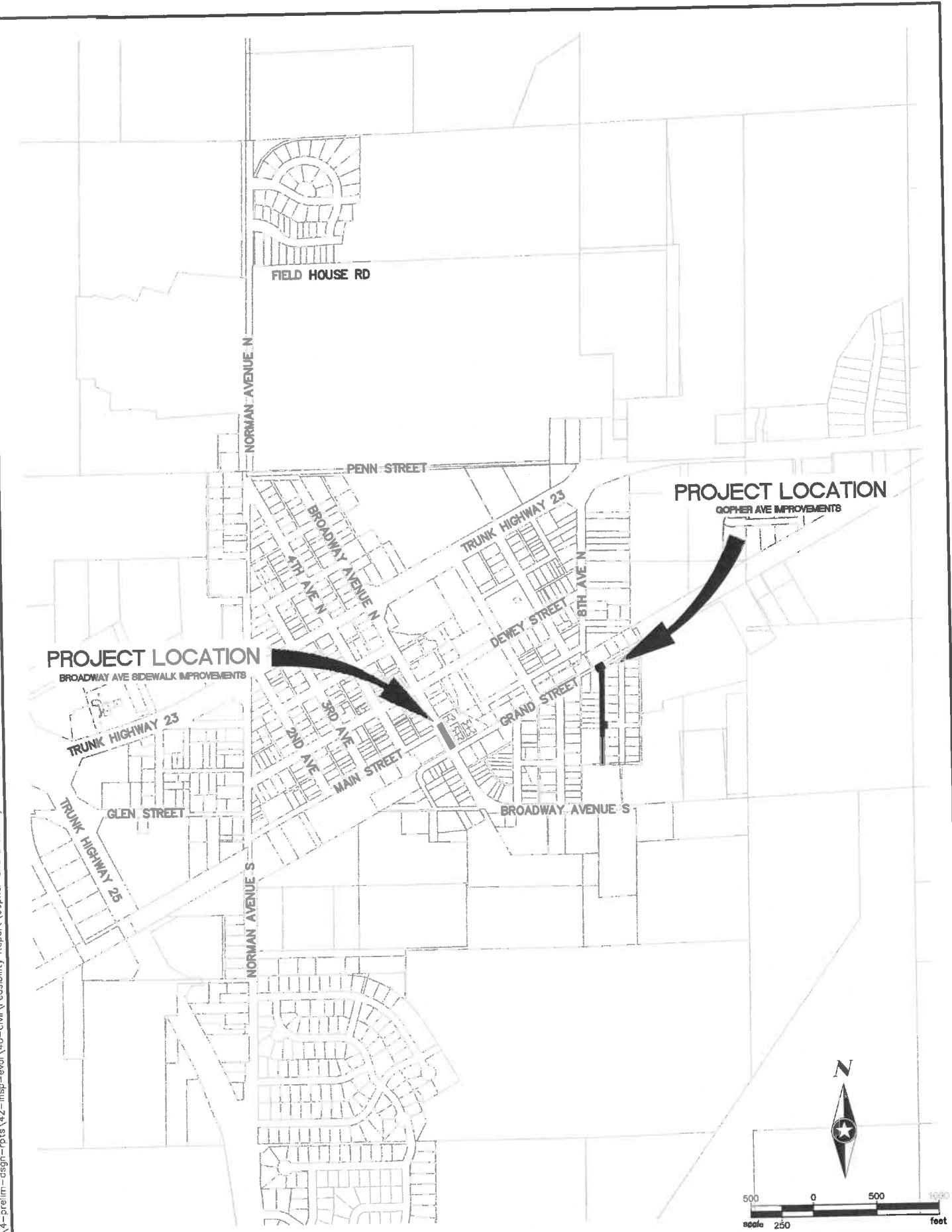
Figure 1 – Project Location Map

Figure 2 – Gopher Avenue Improvements

Figure 3 – Broadway Avenue Sidewalk Improvements



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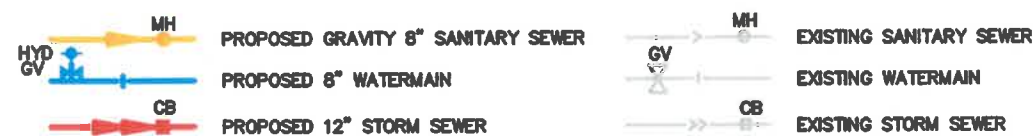
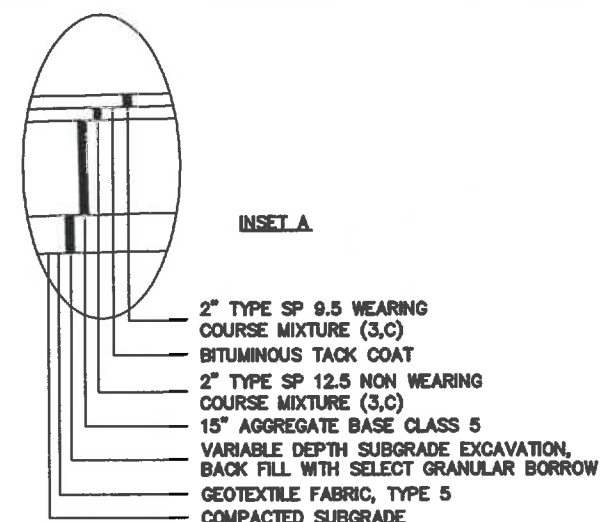
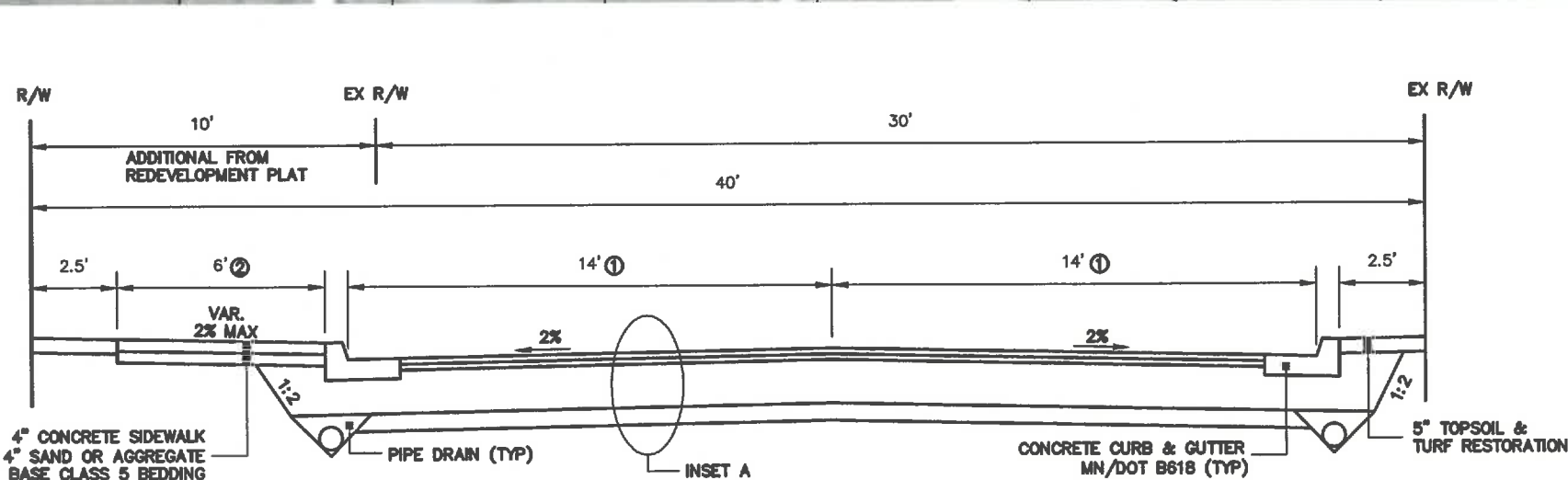
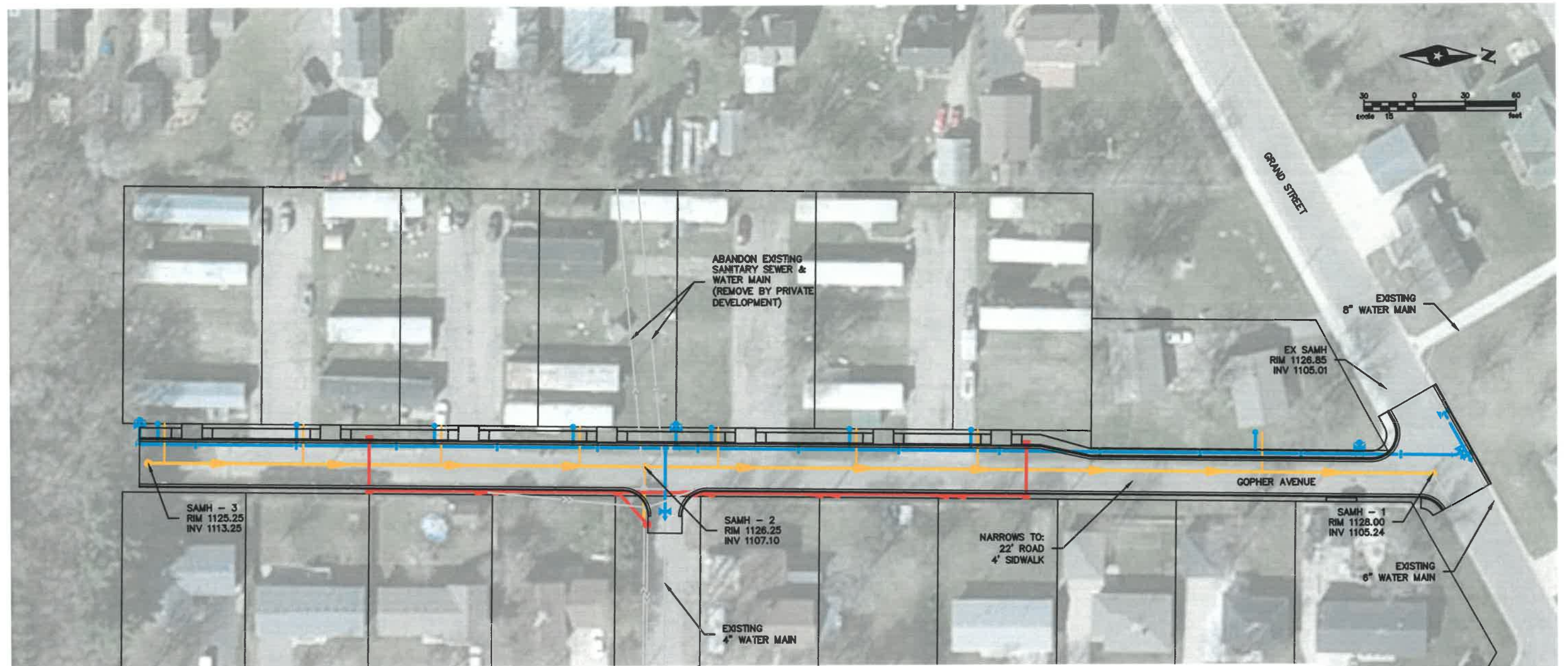
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**PROJECT LOCATION MAP  
2018 GOPHER AVE IMPROVEMENTS  
FOLEY, MINNESOTA**

**FIGURE  
NO. 1**

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- ① 11' FOR THE NORTH 200' ADJACENT TO EXIST HOUSE
- ② 4' FOR THE NORTH 200' ADJACENT TO EXIST HOUSE



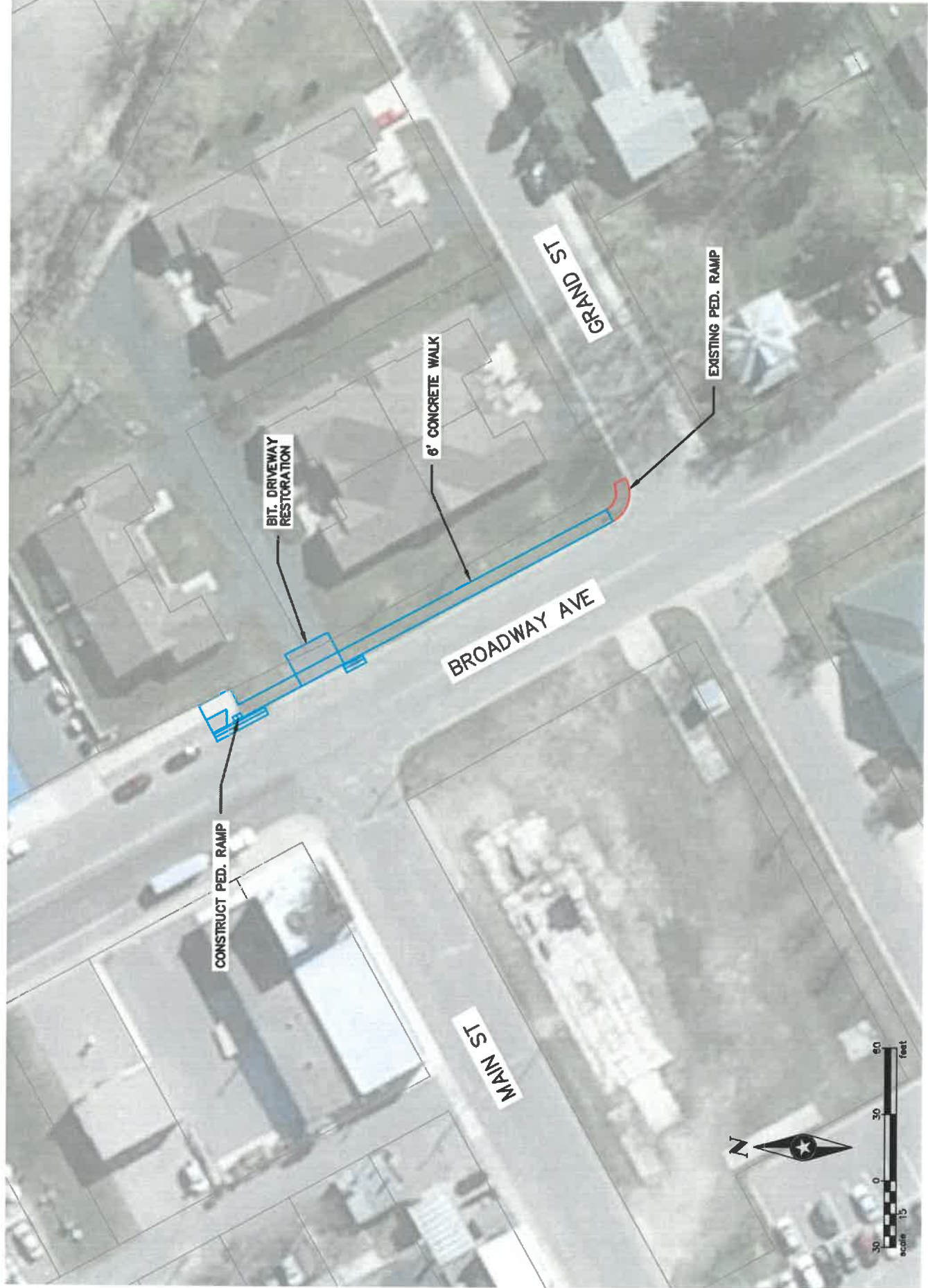
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2018 GOPHER AVE IMPROVEMENTS  
FOLEY, MINNESOTA

FIGURE  
NO. 2





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BROADWAY AVE SIDEWALK  
2018 GOPHER AVE IMPROVEMENTS  
FOLEY, MINNESOTA

FIGURE  
NO. 3

## Appendix A

Opinion of Probable Cost – Gopher Avenue



OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
STREET					
1	MOBILIZATION	LUMP SUM	1.00	\$20,000.00	\$20,000.00
2	TRAFFIC CONTROL	LUMP SUM	1.00	\$5,000.00	\$5,000.00
3	SAWCUT BITUMINOUS PAVEMENT	LIN FT	225.00	\$3.50	\$787.50
4	REMOVE CONCRETE SIDEWALK	SQ YD	50.00	\$4.00	\$200.00
5	REMOVE CONCRETE CURB & GUTTER	LIN FT	155.00	\$3.00	\$465.00
6	MILL BITUMINOUS PAVEMENT	SQ YD	2,200.00	\$2.50	\$5,500.00
7	REMOVE SANITARY MANHOLE	EACH	3.00	\$500.00	\$1,500.00
8	REMOVE GATE VALVE & BOX	EACH	2.00	\$300.00	\$600.00
9	REMOVE WATER MAIN	LIN FT	560.00	\$2.00	\$1,120.00
10	REMOVE SANITARY SEWER	LIN FT	700.00	\$2.00	\$1,400.00
11	REMOVE STORM SEWER	LIN FT	145.00	\$5.00	\$725.00
12	REMOVE DRAINAGE STRUCTURE	EACH	3.00	\$300.00	\$900.00
13	REMOVE SIGN	EACH	12.00	\$30.00	\$360.00
14	COMMON EXCAVATION (PQ)	CU YD	1,925.00	\$10.00	\$19,250.00
15	SUBGRADE EXCAVATION	CU YD	450.00	\$10.00	\$4,500.00
16	SELECT GRANULAR BORROW (LV 1.35)	CU YD	650.00	\$12.00	\$7,800.00
17	TOPSOIL BORROW (LV 1.4)	CU YD	200.00	\$20.00	\$4,000.00
18	AGGREGATE BASE CL 5 (CV) 100% CRUSHED QUARRY ROCK	CU YD	1,260.00	\$24.00	\$30,240.00
19	TYPE SP 9.5 WEARING COURSE MIXTURE (3,C)	TON	265.00	\$72.00	\$19,080.00
20	TYPE SP 12.5 NON WEARING COURSE MIXTURE (3,C)	TON	265.00	\$70.00	\$18,550.00
21	BITUMINOUS MATERIAL FOR TACK COAT	GAL	120.00	\$3.00	\$360.00
22	B618 CONCRETE CURB & GUTTER	LIN FT	1,590.00	\$15.00	\$23,850.00
23	4" PERFORATED DRAIN TILE W/ SOCK	LIN FT	1,520.00	\$7.00	\$10,640.00
24	GEOTEXTILE FABRIC, TYPE V	SQ YD	2,600.00	\$1.50	\$3,900.00
25	4" CONCRETE SIDEWALK	SQ FT	3,075.00	\$4.00	\$12,300.00
26	PED RAMP	EACH	2.00	\$2,000.00	\$4,000.00
27	6" CONCRETE DRIVEWAY RESTORATION	SY YD	90.00	\$50.00	\$4,500.00
28	SIGN PANELS TYPE C	SQ FT	15.00	\$45.00	\$675.00
29	STREET NAME SIGN	EACH	8.00	\$400.00	\$3,200.00
30	SEDIMENT CONTROL LOG TYPE STRAW	LIN FT	500.00	\$10.00	\$5,000.00
31	TURF ESTABLISHMENT	LUMP SUM	1.00	\$9,000.00	\$9,000.00
32	INLET PROTECTION	EACH	8.00	\$150.00	\$1,200.00
33	ROCK CONSTRUCTION ENTRANCE	EACH	2.00	\$800.00	\$1,600.00
34	PICK-UP STREET SWEEPER	HR	1.00	\$150.00	\$150.00
SUBTOTAL CONSTRUCTION					\$222,352.50
CONTINGENCY					\$22,235.25
ENGINEERING					\$40,023.45
GEOTECHNICAL					\$3,335.29
LEGAL & FISCAL					\$15,564.68
TOTAL					\$303,511.16



OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
STORM SEWER					
35	12" RCP, CL V 3006	LIN FT	490.00	\$40.00	\$19,600.00
36	DRAINAGE STRUCTURE, DESIGN H	EACH	2.00	\$1,600.00	\$3,200.00
37	DRAINAGE STRUCTURE 4020 (48")	EACH	6.00	\$2,400.00	\$14,400.00
38	JET CLEAN STORM SEWER	LIN FT	490.00	\$1.50	\$735.00
39	CONNECT TO EXISTING STORM SEWER	EACH	1.00	\$1,400.00	\$1,400.00
40	CASTING SEAL	EACH	6.00	\$150.00	\$900.00
SUBTOTAL CONSTRUCTION					\$40,235.00
CONTINGENCY					\$4,023.50
ENGINEERING					\$7,242.30
GEOTECHNICAL					\$603.53
LEGAL & FISCAL					\$2,816.45
TOTAL					\$54,920.78



OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
WATER MAIN					
41	CONNECT TO EXISTING WATER MAIN	EACH	3.00	\$1,000.00	\$3,000.00
42	HYDRANT	EACH	3.00	\$4,200.00	\$12,600.00
43	8" GATE VALVE AND BOX	EACH	4.00	\$2,200.00	\$8,800.00
44	6" GATE VALVE AND BOX	EACH	3.00	\$1,500.00	\$4,500.00
45	8" WATER MAIN - DUCTILE IRON CL 52	LIN FT	850.00	\$42.00	\$35,700.00
46	6" WATER MAIN - DUCTILE IRON CL 52	LIN FT	40.00	\$38.00	\$1,520.00
47	1" CORPORATION STOP	EACH	9.00	\$300.00	\$2,700.00
48	1" CURB STOP AND BOX	EACH	9.00	\$350.00	\$3,150.00
49	1" TYPE K COPPER PIPE	LIN FT	125.00	\$25.00	\$3,125.00
50	FITTINGS	POUND	530.00	\$7.00	\$3,710.00
51	CONNECT TO EXISTING WATER SERVICE	EACH	1.00	\$300.00	\$300.00
52	3" INSULATION	SQ YD	11.00	\$20.00	\$220.00
SUBTOTAL CONSTRUCTION					\$79,325.00
CONTINGENCY					\$7,932.50
ENGINEERING					\$14,278.50
GEOTECHNICAL					\$1,189.88
LEGAL & FISCAL					\$5,552.75
TOTAL					\$108,278.63



OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
SANITARY SEWER					
53	ROCK EXCAVATION	CU YD	10.00	\$150.00	\$1,500.00
54	CONNECT TO EXISTING SANITARY SEWER	EACH	2.00	\$1,500.00	\$3,000.00
55	8" PVC SANITARY SEWER (SDR 35)	LIN FT	790.00	\$45.00	\$35,550.00
56	8" DUCTILE IRON SANITARY SEWER	LIN FT	20.00	\$42.00	\$840.00
57	SANITARY SEWER MANHOLE	EACH	3.00	\$2,800.00	\$8,400.00
58	EXCESS MANHOLE DEPTH (OVER 8FT)	LIN FT	30.00	\$150.00	\$4,500.00
59	8" OUTSIDE DROP	LIN FT	5.00	\$150.00	\$750.00
60	COARSE FILTER AGGREGATE (CV)	CU YD	140.00	\$20.00	\$2,800.00
61	8" X 4" PVC SERVICE WYE (SDR 26)	EACH	9.00	\$450.00	\$4,050.00
62	4" PVC SERVICE PIPE (SDR 26)	LIN FT	215.00	\$24.00	\$5,160.00
63	CONNECT TO EXISTING SERVICE	EACH	1.00	\$200.00	\$200.00
64	CLEAN AND TELEWISE SANITARY SEWER	LIN FT	790.00	\$1.50	\$1,185.00
65	CASTING SEAL	EACH	3.00	\$200.00	\$600.00
SUBTOTAL CONSTRUCTION					\$68,535.00
CONTINGENCY					\$6,853.50
ENGINEERING					\$12,336.30
GEOTECHNICAL					\$1,028.03
LEGAL & FISCAL					\$4,797.45
TOTAL					\$93,550.28





OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
SUMMARY					
SUBTOTAL CONSTRUCTION					\$410,447.50
CONTINGENCY					\$41,044.75
ENGINEERING					\$73,880.55
GEOTECHNICAL					\$6,156.71
LEGAL & FISCAL					\$28,731.33
TOTAL					\$560,260.84

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## Appendix B

Opinion of Probable Cost – Broadway Avenue Sidewalk



OPINION OF PROBABLE COST - BROADWAY AVE SIDEWALK

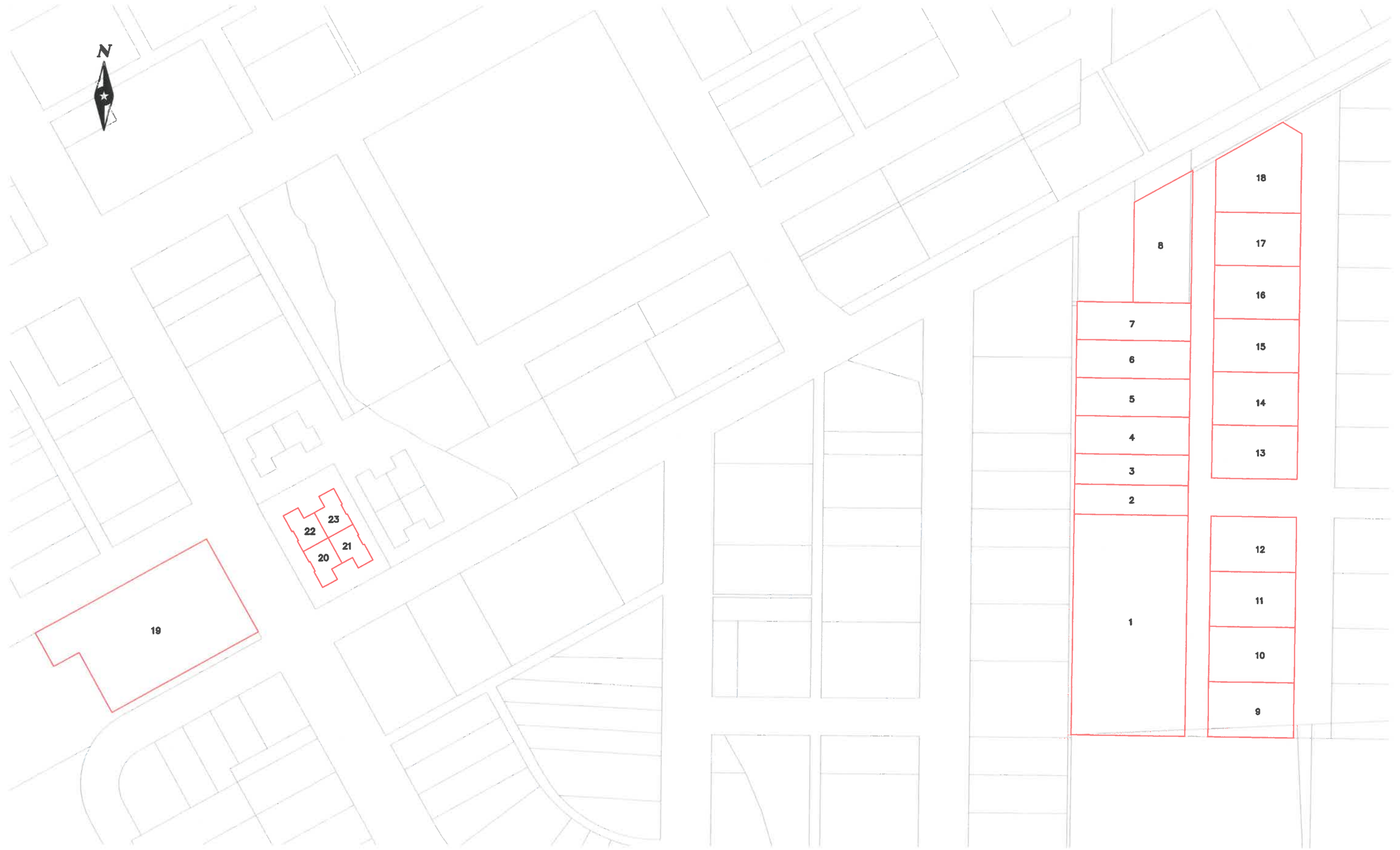
ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
1	MOBILIZATION	LUMP SUM	1.00	\$5,000.00	\$5,000.00
2	TRAFFIC CONTROL	LUMP SUM	1.00	\$1,000.00	\$1,000.00
3	SAWCUT BITUMINOUS PAVEMENT	LIN FT	65.00	\$3.50	\$227.50
4	SAWCUT CONCRETE PAVEMENT	LIN FT	8.00	\$5.00	\$40.00
5	REMOVE CONCRETE SIDEWALK	SQ YD	18.00	\$4.00	\$72.00
6	REMOVE CONCRETE CURB & GUTTER	LIN FT	36.00	\$5.00	\$180.00
7	RELOCATE MAILBOX	EACH	3.00	\$150.00	\$450.00
8	COMMON EXCAVATION (PQ)	CU YD	30.00	\$40.00	\$1,200.00
9	TOPSOIL BORROW (LV 1.4)	CU YD	5.00	\$20.00	\$100.00
10	TYPE SP 9.5 WEARING COURSE MIXTURE (3,C)	TON	5.00	\$125.00	\$625.00
11	B618 CONCRETE CURB & GUTTER	LIN FT	36.00	\$30.00	\$1,080.00
12	4" CONCRETE SIDEWALK	SQ FT	1,120.00	\$6.00	\$6,720.00
13	PED RAMP W/ TRUNCATED DOMES	EACH	1.00	\$2,000.00	\$2,000.00
14	6" CONCRETE DRIVEWAY	SY YD	15.00	\$60.00	\$900.00
15	TURF ESTABLISHMENT	LUMP SUM	1.00	\$1,000.00	\$1,000.00
16	INLET PROTECTION	EACH	1.00	\$150.00	\$150.00
17	PICK-UP STREET SWEEPER	HR	1.00	\$150.00	\$150.00
SUBTOTAL CONSTRUCTION					\$20,894.50
CONTINGENCY					\$4,178.90
ENGINEERING					\$5,223.63
GEOTECHNICAL					\$1,044.73
LEGAL & FISCAL					\$1,462.62
TOTAL					\$32,804.37

P:\FJ\FOLEY\138502\2-proj-mgmt\25-cost-est\Gopher Avenue and Broadway Sidewalk\Estimate Report - Broadway SW.xls\Broadway SW

## Appendix C

Figure 4 – Preliminary Assessment Worksheet Map  
Preliminary Assessment Worksheet

P:\F\PROJECTS\138502\4-prelim-dgn-rpts\42-inp-eva\40-civ\Feeability Report\Gopher and Broadway Sidewalk\FIGURES\Gopher\_Fig 4.dwg 9/21/2017 3:57 PM jgriffith



— PROPERTY LINE



PHONE: 320.229.4300  
1200 25TH AVENUE SOUTH  
P.O. BOX 1717  
ST. CLOUD, MN 56302-1717  
www.sehinc.com

FILE NO.  
FOLEY 138502

DATE:  
09/21/2017

PAW MAP  
2018 GOPHER AVE IMPROVEMENTS  
FOLEY, MINNESOTA

FIGURE  
NO. 4

ASSESSMENT RATES (30%)	
STREET	\$65.31 / FF
SIDEWALK	\$9.54 / FF
WATER MAIN	\$22.20 / FF
SANITARY SEWER	\$18.74 / FF
STORM SEWER	\$0.12 / SF
4" SANITARY SEWER SERVICE	\$428.16 /EACH
1" WATER SERVICE	\$422.01 /EACH

PRELIMINARY ASSESSMENT HEARING DATE: NOVEMBER 7, 2017

MAP ID	PARCEL ID NO.	PROPERTY DESCRIPTION	OWNER OF RECORD	FRONTAGE	STREET		SIDEWALK		WATER MAIN		SANITARY SEWER		STORM SEWER		WATER SERVICE		SANITARY SERVICE		TOTAL
					FRONTAGE	ASSESSMENT	FRONTAGE	ASSESSMENT	FRONTAGE	ASSESSMENT	FRONTAGE	ASSESSMENT	SQUARE FEET	ASSESSMENT	SIZE	ASSESSMENT	SIZE	ASSESSMENT	
1	13.00012.01	Sect-25 Twp-037 Range-029 1.11 AC N 290 FT OF W 149.5 FT OF SW1/4 SW1/4 LYING S OF S LINE OF BLK 1 OF WILDMAN & TAUR'S ADDN & THAT PART OF BLK A FOLEY 2ND ADDN LYING S OF N LINE EXT OF BLK 1 OF WILDMAN & TAUR'S ADDN & LYING N OF A LINE 290 FT S OF S LINE	FOLEY MOBILE PROPERTIES LLC C/O RYAN SCHMIT 18773 160TH AVE MILACA, MN 56353	280	280	\$18,286.36	280	\$2,670.05	280	\$6,216.67	280	\$5,247.11	46,709	\$5,604.42	8 : 1"	\$3,376.10	8 : 4"	\$3,425.24	\$44,825.96
2	13.00540.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY BLOCK 1, LOT 6	FOLEY MOBILE PROPERTIES LLC C/O RYAN SCHMIT 18773 160TH AVE MILACA, MN 56353	39	39	\$2,547.03	39	\$371.90	39	\$865.89	39	\$730.85	5,905	\$708.52	1"	\$422.01	4"	\$428.16	\$6,074.35
3	13.00539.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY BLOCK 1, LOT 5	FOLEY MOBILE PROPERTIES LLC C/O RYAN SCHMIT 18773 160TH AVE MILACA, MN 56353	40	40	\$2,612.34	40	\$381.44	40	\$888.10	40	\$749.59	5,980	\$717.52	1"	\$422.01	4"	\$428.16	\$6,199.14
4	13.00538.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY BLOCK 1, LOT 4	FOLEY MOBILE PROPERTIES LLC C/O RYAN SCHMIT 18773 160TH AVE MILACA, MN 56353	50	50	\$3,265.42	50	\$476.79	50	\$1,110.12	50	\$936.98	7,475	\$896.90	2 : 1"	\$844.03	2 : 4"	\$856.31	\$8,386.55
5	13.00637.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY BLOCK 1, LOT 3	FOLEY MOBILE PROPERTIES LLC C/O RYAN SCHMIT 18773 160TH AVE MILACA, MN 56353	50	50	\$3,265.42	50	\$476.79	50	\$1,110.12	50	\$936.98	7,575	\$908.89	2 : 1"	\$844.03	2 : 4"	\$856.31	\$8,398.55
6	13.00536.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY BLOCK 1, LOT 2	FOLEY MOBILE PROPERTIES LLC C/O RYAN SCHMIT 18773 160TH AVE MILACA, MN 56353	50	50	\$3,265.42	50	\$476.79	50	\$1,110.12	50	\$936.98	7,475	\$896.90	1"	\$422.01	4"	\$428.16	\$7,536.38
7	13.00535.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY BLOCK 1, LOT 1	FOLEY MOBILE PROPERTIES LLC C/O RYAN SCHMIT 18773 160TH AVE MILACA, MN 56353	50	50	\$3,265.42	50	\$476.79	50	\$1,110.12	50	\$936.98	7,475	\$896.90	1"	\$422.01	4"	\$428.16	\$7,536.38
8	13.00497.00	Sect-25 Twp-037 Range-029 COUNTY AUDITOR'S PLAT OF SW1/4 Lot-005 E 73 1/2 FT	NICHOLAS J JOHNSON & HEATHER J BARROWS 820 GRAND ST FOLEY, MN 56329	87 (3)	87	\$5,681.83	87	\$829.62	87	\$1,931.61	87	\$1,630.35	6,661 (2)	\$799.23	1"	\$422.01	4"	\$428.16	\$11,722.81
9	13.00713.00	Sect-25 Twp-037 Range-029 HILLSIDE ESTATES Lot-004 Block-002	KEVIN M SWENSON & MARY T SWENSON 231 HILL AVE PO BOX 755 FOLEY, MN 56329	62	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	4,133 (2)	\$495.84	N/A	\$0.00	N/A	\$0.00	\$495.84
10	13.00712.00	Sect-25 Twp-037 Range-029 HILLSIDE ESTATES Lot-003 Block-002	CRAIG H LOCH & STEPHANIE A LOCH 221 HILL AVE FOLEY, MN 56329	73	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	4,133 (2)	\$495.84	N/A	\$0.00	N/A	\$0.00	\$495.84
11	13.00711.00	Sect-25 Twp-037 Range-029 HILLSIDE ESTATES Lot-002 Block-002	WAYNE KOEHLY TR & LAURIE KOEHLY TR PO BOX 353 NEVIS, MN 56467	73	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	4,133 (2)	\$495.84	N/A	\$0.00	N/A	\$0.00	\$495.84
12	13.00710.00	Sect-25 Twp-037 Range-029 HILLSIDE ESTATES Lot-001 Block-002	JOSEPH J BUHS & KRISTINA J BUHS 201 HILL AVE FOLEY, MN 56329	72	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	4,133 (2)	\$495.84	N/A	\$0.00	N/A	\$0.00	\$495.84
13	13.00546.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY Lot-006 Block-002	DAVID L KANTOR & CATHERINE M GARCEAU-KANTOR 181 HILL AVE FOLEY, MN 56329	70	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	3,990 (2)	\$478.68	N/A	\$0.00	N/A	\$0.00	\$478.68
14	13.00545.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY Lot-005 Block-002	DAVID L KANTOR & CATHERINE M GARCEAU-KANTOR 181 HILL AVE FOLEY, MN 56329	70	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	3,990 (2)	\$478.68	N/A	\$0.00	N/A	\$0.00	\$478.68
15	13.00544.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY Lot-004 Block-002	BRYAN D NOVAK 151 HILL AVE FOLEY, MN 56329	70	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	3,989 (2)	\$478.62	N/A	\$0.00	N/A	\$0.00	\$478.62
16	13.00543.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY Lot-003 Block-002	BETHANY SILVERNESS 141 HILL AVE PO BOX 144 FOLEY, MN 56329	70	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	3,989 (2)	\$478.62	N/A	\$0.00	N/A	\$0.00	\$478.62
17	13.00542.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY Lot-002 Block-002	ADAM FOSS 131 HILL AVE FOLEY, MN 56329	70	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	3,989 (2)	\$478.56	N/A	\$0.00	N/A	\$0.00	\$478.56

PRELIMINARY ASSESSMENT HEARING DATE: NOVEMBER 7, 2017

ASSESSMENT RATES (30%)	
STREET	\$65.31 / FF
SIDEWALK	\$9.54 / FF
WATER MAIN	\$22.20 / FF
SANITARY SEWER	\$18.74 / FF
STORM SEWER	\$0.12 / SF
4" SANITARY SEWER SERVICE	\$428.16 /EACH
1" WATER SERVICE	\$422.01 /EACH

MAP ID	PARCEL ID NO.	PROPERTY DESCRIPTION	OWNER OF RECORD	FRONTAGE	STREET		SIDEWALK		WATER MAIN		SANITARY SEWER		STORM SEWER		WATER SERVICE		SANITARY SERVICE		TOTAL
					FRONTAGE	ASSESSMENT	FRONTAGE	ASSESSMENT	FRONTAGE	ASSESSMENT	FRONTAGE	ASSESSMENT	SQUARE FEET	ASSESSMENT	SIZE	ASSESSMENT	SIZE	ASSESSMENT	ASSESSMENT
18	13.00541.00	Sect-25 Twp-037 Range-029 WILDMAN & TAUERS ADDN TO FOLEY Lot-001 Block-002	DONNA M FOSS 121 HILL AVE PO BOX 508 FOLEY, MN 56329	69	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	5,588 (2)	\$670.42	N/A	\$0.00	N/A	\$0.00	\$670.42
19	13.00736.00	Sect-26 Twp-037 Range-029 FOLEY IMPROVEMENT PLAT Lot-001 Block-005	NOEL C LEWANDOWSKI & M GAYLE LEWANDOWSKI C/O A M A X INDUSTRIES PO BOX 252 FOLEY, MN 56329	140	0	\$0.00	65 (4)	\$619.83	0	\$0.00	0	\$0.00	0	\$0.00	N/A	\$0.00	N/A	\$0.00	\$619.83
20	13.01013.00	Sect-26 Twp-037 Range-029 LYON PLAT 2 - A CONDO COMM 11 UNIT 4	KAREN JANORSCHKE C/O ERIN CHRISTMAN 249 BIRCH DR FOLEY, MN 56329	39 (1)	0	\$0.00	39	\$371.90	0	\$0.00	0	\$0.00	0	\$0.00	N/A	\$0.00	N/A	\$0.00	\$371.90
21	13.01012.00	Sect-26 Twp-037 Range-029 LYON PLAT 2 - A CONDO COMM 11 UNIT 3	DOUGLAS M HEGER & BARBARA HEGER PO BOX 633 FOLEY, MN 56329	39 (1)	0	\$0.00	39	\$371.90	0	\$0.00	0	\$0.00	0	\$0.00	N/A	\$0.00	N/A	\$0.00	\$371.90
22	13.01010.00	Sect-26 Twp-037 Range-029 LYON PLAT 2 - A CONDO COMM 11 UNIT 1 W/L E TO RAYMOND A & ANNE M BLUMBERG	DENNIS A DIERKES 54 BROADWAY AVE S FOLEY, MN 56329	39 (1)	0	\$0.00	39	\$371.90	0	\$0.00	0	\$0.00	0	\$0.00	N/A	\$0.00	N/A	\$0.00	\$371.90
23	13.01011.00	Sect-26 Twp-037 Range-029 LYON PLAT 2 - A CONDO COMM 11 UNIT 2	MARY JANE GROW 1ST AMEND TR 44 BROADWAY AVE S FOLEY, MN 56329	39 (1)	0	\$0.00	39	\$371.90	0	\$0.00	0	\$0.00	0	\$0.00	N/A	\$0.00	N/A	\$0.00	\$371.90
TOTAL				1,641	646	\$42,189.25	867	\$8,267.62	646	\$14,342.74	646	\$12,105.84	137,318	\$16,476.23		\$7,174.21		\$7,278.64	\$107,834.53

(1) 157' OF FRONTAGE SPLIT BETWEEN THE FOUR TOWNHOMES

(2) ASSUMES 1/2 OF THE LOT AREA DRAINS TO GOPHER AVENUE (REMAINING 1/2 OF LOT WOULD BE SUBJECT TO FUTURE ASSESSEMENT HILL AVENUE OR GRAND STREET IMPROVEMENTS ARE MADE

(3) THE SHORT SIDE OF THE LOT HAS BEEN INCLUDED IN THIS ASSESSMENT WORKSHEET, PER THE ASSESSMENT POLICY, HALF OF THE LONG SIDE OF THE LOT IS SUBJECT TO A FUTURE ASSESSMENT IF/ WHEN GRAND STREET IS IMPROVED

(3) TOTAL ASSESSABLE FRONTAGE FOR THIS PARCEL PER CORNER LOT ADJUSTMENT IS 285 FEET MINUS THE PREVIOUS ASSESSMENT FROM 2015 4TH AVENUE SOUTH OF 220 FEET LEAVES AN ASSESSABLE FRONTAGE OF 65 FEET FOR THE SIDEWALK ON THIS PROJECT



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We're confident in our ability to balance these requirements.





CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA

RESOLUTION 2017 - 29

A RESOLUTION RECEIVING FEASIBILITY REPORT  
AND CALLING HEARING ON IMPROVEMENT

WHEREAS, a report has been prepared by SEH with reference to proposed Improvement No. 138502, the improvement of Gopher Avenue from Grand Street to the dead end, and adding sidewalk on the east side of Broadway Avenue from Grand Street to Main Street by reconstructing the streets, storm sewer, water main, sanitary sewer, and adding sidewalks, and this report was received by the council on October 3, 2017, and

WHEREAS, the report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

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

1. The council will consider the improvement of such street in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$593,065.

2. A public hearing shall be held on such proposed improvement on the 7th day of November, 2017, in the council chambers of the city hall at 5:30 p.m. and the administrator shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the council this 3<sup>rd</sup> day of October, 2017.

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

ATTEST:

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



Building a Better World  
for All of Us®

## MEMORANDUM

TO: Mark Pappenfus

FROM: Jessica Hedin, PE

DATE: September 25, 2017

RE: Summary of Design Flows and Loads for City of Foley Wastewater Treatment Facilities  
SEH No. FOLEY 142860 14.00

The purpose of this memorandum is to provide a summary of the projected flows and loads determined as part of the City of Foley's Wastewater Treatment Facilities Plan. Future design conditions built upon existing flows and loads sampled by the public works staff during the review period of July 2014 and July 2017. The Facilities Plan identified a design year of 2040 for the design capacity of the facility. The memorandum summarizes existing flows and loads to the facility, provides an overview in determining population growth scenarios during the design period, and reviews additional capacity items identified for development during the design period. The City of Foley is also working with PouchTec Industries, LLC (PouchTec) to include anticipated future growth in their industrial facilities. As part of this growth, low strength and high strength discharge alternatives were evaluated.

### DETERMINATION OF EXISTING CONDITIONS

The City's historical influent and effluent data from discharge monitoring reports (DMRs) for the Foley Wastewater Treatment Facility (WWTF). Historical influent and effluent data was reviewed from July 2014 thru July 2017. These data sets were used to determine the existing flows and loading conditions.

The community is home to one significant industrial user (SIU), PouchTec, and a number of additional commercial business which are not categorized as significant. As a significant industrial user, PouchTec's flows are developed in greater details as part of the planning process. As part of the flows and loads development, PouchTec has also provided historical flow and load data from its low strength industrial effluent. Historical influent and effluent data was reviewed from December 2014 thru July 2017.

### Flow Definitions

First, it is important to define key flow terms. The MPCA defines several flow conditions that are used to design process units. The system design and the capacities of existing process units reference the following flow conditions:

- Average dry weather (ADW) flow: ADW flow is defined as the flow that occurs during dry periods when the groundwater level is low or normal. This flow would include the normal sanitary sewer flows from homes, commercial establishments, public institutions, and any industrial facilities. This flow level normally becomes apparent in winter months (December, January, and February), when there is little to no inflow.
- Average wet weather (AWW) flow: AWW or peak month flow is the daily average flow for the 30 consecutive days with the highest precipitation for mechanical facilities. AWW of peak month flow is the daily average for the approximately 180 consecutive days between November 15 and March 15 and March 15 to November 15 for controlled discharge pond systems. Because the facilities plan will be evaluating both mechanical and pond alternatives, two average wet weather design flow conditions will be determined.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 1200 25th Avenue South, P.O. Box 1717, St. Cloud, MN 56302-1717  
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- Peak hourly wet weather (PHWW) flow: PHWW is the peak flow during the peak hour of the day at a time when the groundwater is high and a five-year, one-hour storm event is occurring. For the City of Foley, a five-year, one-hour storm event corresponds to a precipitation event of 1.7 inches in one hour (MPCA, 2002).
- Peak Instantaneous Wet Weather (PIWW) flow: PIWW is the peak instantaneous flow during the day at a time when the groundwater is high and a 25-year, one-hour storm even is occurring. For the City of Foley, a 25-year, one-hour storm event corresponds to a precipitation event of 2.3 inches in one hour (MPCA, 2002).

Current Wastewater Flows

Historical flow and load records from the review period were utilized to develop existing flows and loads to the facility. The reported flows are measured with magnetic flow meters installed in meter vaults located adjacent to Birch Lift Station near Birch Pond and Broadway Lift Station located northwest of Golf Pond. These measurements represent the total flow to the facility, including inflow and infiltration as well as industrial contributions. Over the review period, the average dry weather influent flow was 0.242 mgd, with a peak month flow 0.444 mgd to Birch and Golf Ponds combined. Based on a current population of 2,718, the average dry weather flow corresponds to a per capita flow of 89 gpcd. The attached Table A is dived into three sections. The upper two sections summarize data for Birch and Golf Ponds. The existing and projected flows are for controlled discharge ponds. The third section represents the combined flow for the wastewater treatment system and provides flows for controlled discharge and continuous discharge facilities. As discussed in in the Flow Definitions section, the AWW is calculated different for controlled discharge pond systems and continuous discharge mechanical facilities. And because the calculation of PHWW flow is based on the AWW flow there will be two PHWW flows determined for mechanical facilities and ponds. The greatest maximum day flow from July 2014 through July 2017 was 1.698 mgd on November 29, 2016.

Current Wastewater Loads

In addition to flow data, Table 1 shows the organic, solids, and phosphorus loading from July 2014 through July 2017. Monthly organics loading (including commercial load), analyzed as 5-day carbonaceous biochemical oxygen demand (CBOD<sub>5</sub>), averaged approximately 567.7 pounds per day for Birch and Golf Ponds combined over the period, with a maximum load of 971 pounds per day for Birch and Golf Ponds combined. The CBOD<sub>5</sub> concentration averaged 162.7 mg/L for Birch and Golf Ponds combined over the review period.

Table 1. Current Domestic Mass Loading (Excluding Low Strength Waste from PouchTec)

July 2014 thru July 2017 Loadings	Domestic Loading (lb/day)			Calculated Per Capita Load <sup>a</sup> (ppcd)
	Birch Pond <sup>b</sup>	Golf Pond	Combined	
CBOD <sub>5</sub> , Average Load	183.0	384.7	567.7	0.21
TSS, Average Load	172.6	303.9	476.5	0.18
P, Average Load	5.1	10.8	15.8	0.006
a) Based on a current population of 2,718				
b) Calculated from Birch Pond influent loads minus PouchTec				

The actual per capita CBOD5 load is 0.21 pounds per capita day (ppcd). According to the Recommended Standards for Wastewater Facilities (Ten States Standards), the design of domestic waste shall be based upon at least 0.17 ppcd CBOD5, or 0.22 ppcd where garbage comminutors are commonly used. The actual CBOD<sub>5</sub> per capita loading will be used for projecting future loads from the community.

The actual per capita TSS load is 0.18 ppcd. According to the Ten States Standards, the design of domestic waste treatment shall be based upon at least 0.20 ppcd TSS, or 0.25 ppcd where garbage disposals are commonly used. The suggested 0.20 ppcd TSS will be used for projecting future TSS loads to the community.

The actual per capita phosphorus load is 0.006 ppcd. According to Wastewater Engineering Treatment and Reuse (Metcalf and Eddy, 2003), the typical range for per capita wastewater loading of phosphorus is 0.006 to 0.010 ppcd. The actual phosphorus per capita loading will be used for projecting future loads from the community.

Design Population

The current population of Foley is 2,718 based on State projections and recent censuses. Three growth scenarios were evaluated in determining a 2040 growth projection. Figure 1 illustrates the three population growth scenarios evaluated for Foley, MN. Foley experienced a sharp population growth between 2000 and 2005 that is not typical in the following years. The high growth scenario assumes that the growth during this time is typical and will continue to influence the growth trend during the planning period. The medium growth scenario excludes 2000 and 2001 from the population projection, which assumes that growth during the five year period was above average. Excluding 2000 and 2001 reduces the influence the above average population growth has on the population projection. The low growth scenario excludes 2000 to 2005 as atypical and not representative of anticipated future growth during the planning period.

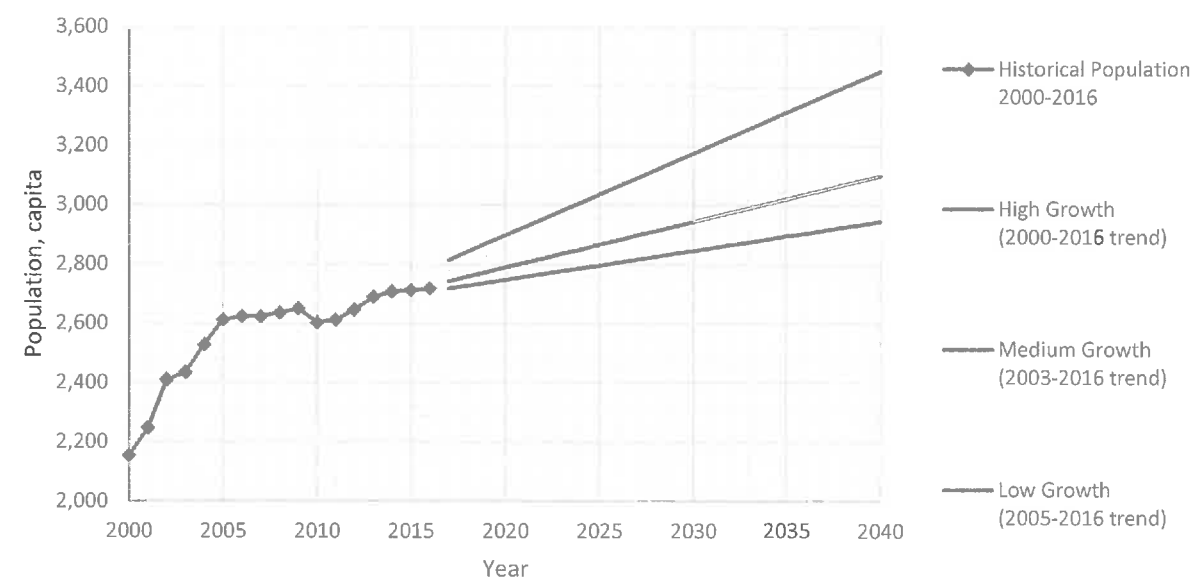


Figure 1 – Historical Population and Growth Projections for Foley, MN

High Growth Scenario

In the high growth scenario population growth in the community continues along a linearized average of the historical population growth from 2000 until 2016. The high growth scenario corresponds to a 2040 population of 3,451, or approximately 296 new households using the MN State Demographic Centers average 2.48 residents per household for Foley, MN.

Medium Growth Scenario

In the medium growth scenario population growth in the community continues along a linearized average of the historical population growth from 2003 until 2016. The medium growth scenario corresponds to a 2040 population of 3,098, or approximately 153 new households using the MN State Demographic Centers average 2.48 residents per household for Foley, MN.

Low Growth Scenario

In the low growth scenario population growth in the community continues along a linearized average of the historical population growth from 2005 until 2016. The low growth scenario corresponds to a 2040 population of 2,944, or approximately 91 new households using the MN State Demographic Centers average 2.48 residents per household for Foley, MN.

The medium growth scenario was used to develop the 2040 design flows and loads. The medium growth scenario best represents the community’s anticipated residential development based on a preliminary review of building applications.

Additional Design Capacity

In addition to residential household growth, the community of Foley is planning for future development of institutional, high-density residential, medical, commercial, and industrial facilities. Additional capacity for the following land uses were considered in determining the 2040 projected flows and loads:

- 55 unit senior housing complex
- 80 unit apartment complex
- 90 bed assisted living facility
- 4 practitioner clinic
- 1 wet industry
- 40 acres of light/medium industries
- 50 acres of retail/commercial businesses

Additional capacity required for the uses described above are summarized in Table 3. The anticipated flows and loads were determined during a literature review and based upon historical flow and load wastewater characteristics for Foley.

Table 2. 2040 Additional Capacity for Development

Facility	Total Flow and Load			
	Flow, gpd	CBOD <sub>5</sub> , lb/day	TSS, lb/day	P, lb/day
Senior Housing	6,600	9.7	7.6	0.26
Apartments	9,600	14.0	11.0	0.37
Assisted Living Facility	10,800	15.8	12.4	0.42
Clinic	250	0.4	0.3	0.01
Wet Industry	25,000	120.0	84.0	1.50
Dry Industry	60,000	87.7	68.8	2.32
Retail/Commercial	68,750	165.0	190.0	2.65
Total	181,000	412.6	374.0	7.52

Industrial Waste Flows and Loads

PouchTec produces a low and high-strength waste stream, which is currently separated at the industry prior to discharge. The low strength waste flow is discharged to the City of Foley, and the high strength is hauled to St. Cloud for treatment and disposal.

A scenario where only low strength is discharged to the City and a second scenario where both low and high strength wastes are discharged to the City will be considered as design scenarios in the facilities plan. Any wastewater discharged by PouchTec to the City is treated by the Birch Pond system, therefore loading to Golf would not change between these two scenarios. The 2040 projected flow from PouchTec’s high-strength waste stream is 1,700 gallons per day, which does not significantly affect the projects flows to Birch Pond or the combined flow. Table A in the attachment provides average flows and loads for Birch Pond, Golf Pond, and the Combined System if PouchTec’s high strength flow is discharged to the City.

ejm  
Attachment 1:

Table A. Existing Design Criteria with Projected 2040 Design Criteria for Foley  
p:\fj\foley\1428604-prelim-dsgn-rpts\43-prelim-dsgn\flows and loads\summary of design flows and loads for city of foley wastewater treatment facilities\_092217.docx

ATTACHMENT 1

Table A. Existing Design Criteria Compared with Projected 2040 Design Criteria for Foley

Parameter	Current	Current Design	2040 Projected	
			Low Str. PouchTec	Low and High Str. PouchTec
Existing Design Criteria Compared with Projected Design Criteria for Birch Pond				
Flows				
ADW	0.082	---	0.168	0.168
Calendar Average	0.121	0.161	---	---
AWW (Controlled Discharge, Pond)	0.166	---	0.286	0.286
PHWW (Controlled Discharge, Pond)	0.582	---	0.914	0.914
PIWW		---		
Loading				
CBOD <sub>5</sub> Loading, lbs/day	251	389	478	1,082
TSS Loading, lbs/day	194	---	379	379
P Loading, lbs/day	6.0	---	10.1	14.1
Existing Design Criteria Compared with Projected Design Criteria for Golf Pond				
Flows				
ADW	0.160	---	0.332	0.332
Calendar Average	0.195	0.210	---	---
AWW (Controlled Discharge, Pond)	0.195	---	0.325	0.325
PHHW (Controlled Discharge, Pond)	0.683	---	1.039	1.039
PIWW		---		
Loading				
CBOD <sub>5</sub> Loading, lbs/day	385	363	718	718
TSS Loading, lbs/day	304	---	591	591
P Loading, lbs/day	10.8	---	17.4	17.4
Existing Design Criteria Compared with Projected Design Criteria for Combined System				
Flows				
ADW	0.242	---	0.500	0.500
Calendar Average	0.316	0.371	---	---
AWW (Controlled Discharge, Pond)	0.361	---	0.607	0.607
AWW (Continuous Discharge, Mechanical Facility)	0.435	---	0.691	0.691
PHWW (Controlled Discharge, Pond)	1.265	---	1.943	1.943
PHWW (Continuous Discharge, Mechanical Facility)	1.521		2.210	2.210
PIWW		---		
Loading				
CBOD <sub>5</sub> Loading, lbs/day	636	752	1,196	1,800
TSS Loading, lbs/day	498	---	970	970
P Loading, lbs/day	16.8	---	27.5	31.5



**Acknowledgment and Agreement of Services**

AET Project No. 14-01963

September 25, 2017

The services of American Engineering Testing, Inc., (AET) have been requested for the referenced project by Sarah Brunn with the City of Foley on September 6, 2017.

Understood information from requesting party includes the following:

**Project Name:** Foley Sludge Ponds**Project Address:** Foley Minnesota**Project Number:** AET Project No. 14-01963**Client:** City of Foley**Client Address:** PO Box 709  
Foley, MN 56329**Client Contact:** Sarah Brunn

**Service Extent/Communication:** AET's services will be provided on a will-call basis when requested by Client or authorized representative.

**Understood Scope of Services** (*actual services to be determined by requirements of construction documents or at direction of Client or authorized representative*) may include the following:

- Collect 30 sub samples to form 3 composite samples from the Birch Pond Cell.
- Samples from the Birch Pond Cell will be tested for: total solids, volatile solids (VS, % of TS), pH, % total kjeldahl nitrogen, % ammonia nitrogen, % phosphorus, % potassium, PCBs, arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc.
- A total of 48 depth measurements will be collected from the Birch Pond Cell
- Collect 20 sub samples to form 2 composite samples from the Golf Pond Cells. Two samples, one from each cell will be tested for: total solids, volatile solids (VS, % of TS), pH, % total kjeldahl nitrogen, % ammonia nitrogen, % phosphorus, % potassium, arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc.
- A total of 64 depth measurements will be taken from the two Golf Pond Cells.
- The measurements will be taken to identify the distance from liquid surface to the top of biosolids, distance from liquid surface to the bottom of the pond, and thickness of the biosolid layer. Due to the sample matrix, all measurements should be considered approximate depths.
- All sampling points will be identified by GPS coordinates.

This proposal is valid for a period of 90 days from the date issued.



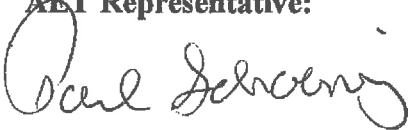
**Fees:** For the scope of services described above, the cost is estimated at \$9980.00. Each additional depth sample will cost an additional \$75.00. Any other sampling requests will be billed on a time and materials basis according to our 2017 fee schedule.

**Terms/Conditions:** All AET Services are provided subject to the Terms and Conditions set forth in the enclosed Service Agreement—Terms and Conditions, which, upon acceptance of this proposal, are binding upon you as the Client requesting Services, and your successors, assignees, joint ventures and third-party beneficiaries. Please be advised that additional insured status is granted upon acceptance of the proposal.

Please indicate your acceptance of this proposal by signing below and returning a copy to us. When you accept this proposal, you represent that you are authorized to accept on behalf of the Client.

**Other Attachments (part of this agreement)**  
Service Agreement - Terms and Conditions  
Proof of Insurance  
W9

**AET Representative:**



Paul Schoening  
Senior Environmental  
Phone: 651-603-6625  
Email: [pschoening@amengtest.com](mailto:pschoening@amengtest.com)

**Authorized Client Representative:**

Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_

**6.2** - Non-hazardous samples will be held for thirty (30) days and then discarded unless, within thirty (30) days of the report date, the Client requests in writing that AET store or ship the samples. Storage and shipping costs shall be borne solely by Client.

**SECTION 7 - PROJECT RECORDS**

The original project records prepared by AET will remain the property of AET. AET shall retain these original records for a minimum of three years following submission of the report, during which period the project records can be made available to Client at AET's office at reasonable times.

**SECTION 8 - STANDARD OF CARE**

AET performs its Services consistent with the level of care and skill normally performed by other firms in the profession at the time of this service and in this geographic area, under similar budgetary constraints.

**SECTION 9 - INSURANCE**

AET maintains Insurance with coverage and limits shown below. AET will furnish certificates of insurance to Client upon request.

**9.1** – AET maintains the following insurance coverage and limits of liability:

Workers' Compensation Employer's Liability	Statutory Limits \$100,000 each accident \$500,000 disease policy limit \$100,000 disease each employee
Commercial General Liability	\$1,000,000 each occurrence \$1,000,000 aggregate
Automobile Liability	\$1,000,000 each accident
Professional Liability Insurance	\$1,000,000 per claim \$1,000,000 aggregate

**9.2** - Commercial General Liability insurance will include coverage for Products/Completed Operations extending one (1) year after final acceptance of the Project by Owner, Property Damage including Completed Operations, Personal Injury, and Contractual Liability insurance applicable to AET's indemnity obligations under this Agreement.

**9.3** - Automobile Liability Insurance shall include coverage for all owned, hired and non-owned automobiles.

**9.4** - Professional Liability Insurance is written on a claims-made basis and coverage will be maintained for one (1) year after final acceptance of the Project by Owner. Renewal policies during this period shall maintain the same retroactive date.

**9.5** - To the extent permitted by applicable state law, and only upon Client's signing of the proposal and return of the same to AET, Client and Owner shall be named an "additional insured" on AET's Commercial General Liability Policy (Form CG D4 14 04 08, which includes blanket coverage for Products/Completed Operations and on a Primary and Non-Contributory basis) and Automobile Liability Policy. Client and Owner shall be extended "waiver of subrogation" status for applicable coverages. Any other endorsement, coverage or policy requirement shall result in additional charges.

**9.6** - AET will maintain in effect all insurance coverage required by this Agreement at its sole expense, provided such insurance is reasonably available, with insurance carriers licensed to do business in the state in which the project is located and having a current A.M. Best rating of no less than A minus (A-). Such insurance shall provide for thirty (30) days prior written notice to Client for notice of cancellation or material limitations for the policy or ten (10) days' notice for non-payment of premium.

**9.7** - AET reserves the right to charge Client for AET's costs for additional coverage requirements unknown on the date of the proposal, e.g., coverage limits or policy modification including waiver of subrogation, additional insured endorsements and other project specific requirements.

**SECTION 10 - DELAYS**

If delays to AET's Services are caused by Client or Owner, work of others, strikes, natural causes, weather, or other items beyond AET's control, a reasonable time extension for performance of work shall be granted, and AET shall receive an equitable fee adjustment.

**SECTION 11 - PAYMENT, INTEREST, AND BREACH**

**11.1** - Invoices are due net thirty (30) days. Client will inform AET of invoice questions or disagreements within fifteen (15) days of invoice date; unless so informed, invoices are deemed correct.

**11.2** – Client agrees to pay interest on unpaid invoice balances at a rate of one and a half percent (1.5%) per month, or the maximum allowed by law, whichever is less, beginning thirty (30) days after invoice date.

**11.3** – Invoices remaining unpaid for sixty (60) days shall constitute a material breach of this Agreement, permitting AET, in its sole discretion and without limiting any other legal or equitable remedies for such breach, to terminate performance of this Agreement and be relieved of any associated duties to the Client or other persons. Further, AET may withhold from Client data and reports in AET's possession. If Client fails to cure such breach, all reports associated with the unpaid invoices shall immediately upon demand be returned to AET and Client may neither use nor rely upon such reports or the Services.

**11.4** - Client will pay all AET expenses and attorney fees relating to collection of past due invoices.

**SECTION 12 - MEDIATION**

**12.1** - Except for enforcement of AET's rights to payment for Services rendered or to assert and/or enforce its lien rights, including without limitation assertion and enforcement of mechanic's lien rights and foreclosure of the same, Client and AET agree that any claim, dispute or other matter in



AMERCON-12

AROSS

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/22/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HUB International Mountain States Limited 245 E. Roselawn Avenue, Suite 31 Saint Paul, MN 55117-1940	CONTACT NAME: Ann Ross PHONE (A/C, No, Ext): (651) 288-5137 FAX (A/C, No): (651) 286-0560 E-MAIL ADDRESS: ann.ross@hubinternational.com
INSURED  AMERICAN CONSULTING SERVICES INC 550 CLEVELAND AVE N ST PAUL, MN 55114-1804	INSURER(S) AFFORDING COVERAGE INSURER A: The Phoenix Insurance Company 25623 INSURER B: Travelers Property Casualty Company of America 25674 INSURER C: Travelers Casualty Insurance Company of America 19046 INSURER D: Continental Casualty Company 20443 INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		P630539K8896PHX17	01/01/2017	01/01/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		P810797K9140COF17	01/01/2017	01/01/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ EACH OCCURRENCE \$ AGGREGATE \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	PSUB709K909317	01/01/2017	01/01/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
D	Professional Liability		ECH254066939	01/01/2017	01/01/2018	PER CLAIM 1,000,000
D	RETRO: 070287		ECH254066939	01/01/2017	01/01/2018	AGGREGATE 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

Illustration Only Not for distribution

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

**Request for Taxpayer  
Identification Number and Certification**

Give Form to the  
requester. Do not  
send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>American Petrographic Services, Inc.</b>	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>	
	5 Address (number, street, and apt. or suite no.) <b>550 Cleveland Ave. N.</b>	Requester's name and address (optional)
	6 City, state, and ZIP code <b>Saint Paul, MN 55114</b>	
	7 List account number(s) here (optional)	

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number								
				-				
or								
Employer identification number								
4	1	-	1	6	4	6	0	5 4

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶ <i>Phillip Chinn</i>	Date ▶ <i>1/1/17</i>

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

**If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.**

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.



# Touching Tables for Seniors

Date: Tuesday, 10/17/2017  
Time: 12:00 - 1:00 pm  
Place: First Presbyterian Church  
306 Norway Drive, Foley

I would like to invite you to sit at my table at the fifth annual  
*"Touching Tables for Seniors"* luncheon.

Enjoy a sit down meal while Foley Area C.A.R.E. and community  
members share valuable information on current trends in our aging  
population and the challenges facing our community.

A short appeal for donations will be made after which you will have an  
opportunity to support the C.A.R.E. Program.  
*(Unfortunately, we are unable to accept credit cards at this time.)*

Please RSVP by October 10th as space is very limited.

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*No one knows how much you know,  
until they know how much you care.*

**TO:** FOLEY CITY COUNCIL  
**FROM:** SARAH BRUNN, CITY ADMINISTRATOR  
**SUBJECT:** 10-03-17 COUNCIL MEETING  
**DATE:** SEPTEMBER 29, 2017

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**Consent Agenda**

The Dewey Street construction agreement with Benton County is included in the consent agenda. This agreement is very similar to the 4<sup>th</sup> Avenue agreement and does not include accepting a turnback upon completion. The county board will also need to approve this agreement.

Resolution #2017-28 is a resolution approving application for a variance which is needed as part of the Dewey Street project to maintain angled parking. City Engineer Jon Halter has been working with the county engineer on preparing this application to it is completed prior to construction.

**Gopher Avenue & Broadway Avenue S Project**

City Engineer Jon Halter will provide a project overview for the Gopher Avenue street reconstruction project. This project is necessary in order to redevelop the south trailer park. In addition to Gopher, the project does include a small assessable sidewalk extension on Broadway Avenue South. Following the presentation, the council should act on Resolution #2017-29 Receiving Feasibility Study and Calling for Public Hearing on the improvements. This project will be bonded for with the Dewey Street project.

**Update on Wastewater Facility Plan**

Jessica Hedin, from S.E.H., has prepared a memo outlining the projections used for the wastewater facility plan. City staff requested this update go before the council so they can review the projections used in determining capacity for our community in the next 20 years. City staff considered a lot of variables in developing these projections, including the lack of housing or buildable lots within the city, demand for senior housing, few available lots in the industrial park, existing business expansion and desire to grow the commercial belt along Highway 23 & 25. Staff is looking for council's approval of the projections or input on if they desire to see any changes.

**Upcoming Reminders**

- October 9, 2017 – City offices closed for the Columbus Day holiday.
- Planning Commission Meeting – moved to October 16<sup>th</sup> due to holiday – may be cancelled.
- Touching Tables – October 17<sup>th</sup> @ 1<sup>st</sup> Presbyterian Church – All councilmembers are invited to this event as I am again leading a table. Please confirm with me if you will be attending.
- Public Safety Meeting – October 18<sup>th</sup> @ 5pm.