

CITY OF FOLEY MINNESOTA  
REGULAR CITY COUNCIL MEETING – April 19, 2016

The April 19, 2016 City Council meeting was called to order at 5:30 P.M. at City Hall. Members Present: Mayor Dave Mosford, Council members Kris du'Monceaux, Brian Weis, Leslie LeCuyer and Gerard Bettendorf.

The pledge of allegiance was recited.

**Mayor's Comments:** Mayor Mosford presented proclamations honoring Brian VanderWeyst and David VanderWeyst.

**Approve the agenda** – Mosford called for a motion to approve the agenda removing the April 5<sup>th</sup> meeting minutes from the consent agenda and adding a Resolution on 4<sup>th</sup> Avenue Variance. Motion made by Bettendorf, seconded by duMonceaux to approve the agenda as amended. Motion Carried.

Motion by duMonceaux, seconded by Bettendorf to approve the consent agenda: Resolution on Variance N 4<sup>th</sup> Avenue, partial Street Closing Dewey Street, TJ Coffee Shop June 16-18 Sidewalk Sale, 146 Green Meadow St., Concept Application: PUD Amendment to establish lot & home, approval to bid Emergency Management supplies (portable bathrooms, water, supplies, etc.) and payment of bills list. Motion carried.

**Public Works Capital Equipment & Projects**

Public Works Director, Mark Pappenfus provided an overview of his capital equipment needs. He indicated that in 2015 the planned purchases were a 1 ton pickup and the snow hauling truck. Neither was bought in part due to time delays when utilizing the state bid process. He stated that the street department spent 97,782.00 less than the 2015 budget and in the past this would go to streets but now to the general fund. He would like to purchase a 1 ton with a dump and a 1 ton with a snow plow for alleys and smaller jobs with this savings. Barbian covered that funds in 2015 transferred to the general fund and now that there is an equipment fund unspent funds will remain in the Equipment Fund. He stated the Council can authorize dollars as they determine appropriate.

A motion was made by Mosford, seconded by Weis to authorize the Public Works Director to obtain quotes to purchase two one ton trucks. Motion carried.

Discussion on this year street repairs commenced. Pappenfus indicated he is talking to the County about their responsibility for heave repairs on 4<sup>th</sup> Avenue, patching for now with a long term reconstruction plan being discussed. City Engineer Jon Halter spoke about working with Pappenfus and the Council to come up with a longer range capital plan that calls for road reconstruction and extending road life through the use of seal coatings. Pappenfus indicated that he plans to hold off on seal coating, which was budgeted for 2016 and give more consideration for future years. Four large patch repairs and various small curb and sidewalk projects are being planned. When asked about County roads in Foley, 5 were listed: Norman Ave from Hwy 23 to 25, Dewey from Norman to 5<sup>th</sup>, 4<sup>th</sup> from 23 to Main, Broadway from 23 north, and Main.

**Personnel Committee:** The Statement of Values, Rules of Order, Decorum & Meeting Guidelines for the public were discussed, tools for existing and future Council members to have as a reference document to better conduct City business. duMonceaux asked what the

consequences are when someone does not following the rules? City Attorney Ripple stated that Council members have constitutional protections in the offices held and, as such, consequences are limited to such steps as group pressure; resolutions of reprimand and censure. There was discussion on the edits and it was the consensus that the Personal Committee proceed to make the final edits and bring to the next meeting. It was also mentioned that many of the statements of value would be valuable for employees as well and appropriate to include in a personal policy document.

### **Department Reports:**

**Police:** Chief McMillin reported that Jason Abbott will be taking a military leave until Sept.5<sup>th</sup> and his shifts will be filled using part time officers, also stating that the records software package will need to be updated to work with the County at a cost of 2,500.00, which in the budget. It was indicated that the emergency warning sirens are being checked and issues addressed. Calls are high and Tom Fread recently delivered a baby while on duty. Officer training was discussed.

**Public Works:** Pappenfus reported that Foley Fire Rescue also was at the baby delivery. He indicated they are busy working on spring maintenance items and opened it for questions.

**City Engineer:** Halter mentioned that there are about 160 homes with infiltration issues that will be sent reminders to make the corrections by June 30<sup>th</sup>. The 4<sup>th</sup> Avenue South MNDOT comments came back and minor corrections are being made.

**City Attorney:** Ripple reported on resolutions and agreements covered in the agenda and the union questions that have come up in the last month. He stated that the personnel manual is held up do to the union contract still being in the hands of the union.

**Administrator:** Barbian reported that the Ice Cream Machine will be back soon to serve the city residents, new office staff are learning their roles and the audit is in process. Teri Osterman from MN Rural Water, who has been providing some training, will be completing a report on office functions with recommendations. This will give the Council some independent observations on how things are operating and possible improvements. Projects ahead are sending liquor license applications out and getting election information organized for August nominations.

### **Open Forum**

Bettendorf asked Atty. Ripple if City checks with only one of the two signatures required are they legal. Adam indicated that the majority of the time both signatures are required but there are certain exceptions which he did not immediately have reference to. Bettendorf indicated there were a couple of checks he was aware of that went out with one signature. He asked why checks went out with one signature. Barbian said the Bank indicated it was fine and all checks were pre-approved by the council. Barbian added that proper procedure will be verified and in either case dual signatures will be used from today forward and only used to expedite payments authorized by the Council.

Mayor Mosford closed the public meeting for purpose of Performance Review of City Administrator, Robert Barbian at 6:47.

The meeting reconvened into open secession at 7:35. The closed session was conducted for the purpose of reviewing the performance and providing performance direction to City Administrator Robert Barbian.

Motion made by Bettendorf, seconded by LeCuyer to adjourn at 7:35 p.m. Motion carried.

\_\_\_\_\_ Robert Barbian, Administrator