

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – April 2, 2019

The Foley City Council held a regular meeting on April 2, 2019, at 5:30 p.m. at the Foley City Hall.

Members Present: Mayor Gerard Bettendorf, Councilmembers Jeff Gondeck, Rosalie Musachio Gary Swanson and Jack Brosh.

Members Absent: None

The pledge of allegiance was recited.

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

Consent Agenda

Motion by Gondeck, seconded by Musachio, to approve the consent agenda, which includes the following:

- Approve minutes of March 5, 2019.
- Approve payment of bills paid for by checks #51216 – #51277.

Motion carried, unanimous.

Foley Fun Days – Nancy Kampa

Nancy Kampa, representing the Foley Civic Group was at the meeting to request use of the streets for this year's festival. There was discussion on if the parade route should be moved again this year due to construction and some sidewalk repair and seeding that remains unfinished and might not be completed by mid-June. The council decided keeping the parade route one more year was the best course of action for this year's events. The civic group will proceed with making this change.

Public Hearing – Wastewater Facility Plan

Mayor Bettendorf turned the meeting over to wastewater engineer Jessica Hedin for an overview on the wastewater facility plan.

City Engineer Jessica Hedin reviewed what a wastewater facility plan is, key issues and what the existing wastewater system is comprised of. The current capacity of the system was reviewed and indicated little to no capacity remains. As part of the process, the city made growth projections and used those estimates to obtain preliminary effluent limits from the Minnesota Pollution Control Agency. The different alternatives the plan identifies were reviewed along with the costs associated. The plan concludes with a preferred alternative of regionalization with the city of St. Cloud. Hedin gave an overview of the non-monetary factors that went into the preferred alternative, including being a long-term solution beyond 20 years; the ability to handle future water quality standards; and the ability to better serve the existing wet industry that is a current large employer of the city. Hedin reviewed the costs and rate impact with the preferred alternative.

There were questions on if the City of St. Cloud could raise rates on us and if their system can handle in the future. There were discussions on why other alternatives were not considered.

Mayor Bettendorf recessed the regular city council meeting at 6:00 p.m. to conduct a public hearing on the wastewater facility plan. Bettendorf reminded the council that only comments regarding the wastewater facility plan would be heard at this time and other comments should be directed to a later

open forum. Bettendorf also presented a letter provided by retired public works director Jim Moshier supporting regionalization to St. Cloud.

Amanda Welle, 250 3rd Avenue, questioned the cost to maintain over 11 miles of pipe to St. Cloud. Hedin indicated O&M does cover these costs. Welle indicated concern over costs associated with curb and gutter. Halter indicated the curb and gutter have no impact on the current wastewater facility plan.

Darrel Watercott, 1101 Golf Court, expressed concern with costs and asked there be consideration of how much businesses and how much residents will pay for this system. Watercott also asked for there to be consideration on being charged for water that does not go down and into the sewer system.

John Uphoff, Executive Director of Benton Economic Partnership, indicated support of the regionalization plan for wastewater and reviewed the concerns of losing future growth without taking action. Uphoff indicated the Benton Economic Partnership is in support of the city's plan to regionalize with the city of St. Cloud.

Mike Kasner, 116 Green Meadow, questioned if this system will be designed for growth above and beyond and future communities partnering with us.

Mayor Bettendorf reconvened the regular meeting at 6:10 p.m.

City Administrator Sarah Brunn updated the council on the activities related to funding.

The council held discussion on if there was consensus to keep things moving forward by approving the plan tonight to ensure we are as ready as possible if funding were to become available.

Motion by Swanson, seconded by Musachio, to adopt Resolution #2019-04 Approving Facility Plan. There was detailed discussion on the options and if we want to consider providing opportunity to hook up other communities. Bettendorf, Gondeck, Musachio, Swanson – aye. Brosh – nay. Motion carried.

There was a question on if value engineering proposals would be addressed and the council reviewed the proposals and costs associated. Motion by Swanson, seconded by Gondeck, to approve the proposal provided by AE2S for value engineering services and a review of the plan for up to \$5,000. Motion carried, unanimous.

Discussion on Water Supply Plan

The council was presented with the water supply plan that has been approved by the state. Staff is requesting approval by resolution, which will direct staff to certify the final plan to the state. Motion by Gondeck, seconded by Musachio, to adopt Resolution #2019-03 Approving Water Supply Plan. Motion carried, unanimous.

Advanced Disposal – Discussion on Garbage Contract

Bob Pfiser was at the meeting to discuss recycling and the upcoming garbage contract. Pfiser gave an overview of a brochure and a desire to possibly roll out a similar brochure in Foley. Pfiser also requested the council consider a garbage contract extension.

Mayor's Comments & Open Forum

Gerald Hovde, 265 Elm Drive, indicated support of the value engineering but indicated the wastewater upgrade is necessary and residents are spending just as much if not more on other services. Hovde also

requested consideration of a letter he submitted for the use of UTV's or side-by-side's within the city limits.

Nicki Lahr, representing Republic Services (garbage hauling company), indicated support of the recycling issues outlined by Pfiser and a need to work through recycling services. Lahr also indicated a desire for the opportunity to bid the garbage contract for the City of Foley.

Department Reports

Police Chief Katie McMillin reviewed the monthly law enforcement report which is the highest since the re-establishment of the police department. McMillin also provided an update on the bike rodeo, chief's conference and cameras at the parks.

Curt Meyers, 274 Elm Drive, indicated support for at UTV ordinance allowing their operation in the city.

Terry Kotsmith, 11840 55th Street NE, indicated he lives just outside of town but supports allowing the operation of side-by-sides.

Duane Foss, 6149 Highway 25, indicated support for the side-by-sides being allowed to operate in the city.

City Attorney Adam Ripple had no report.

City Engineer Jon Halter updated the council on the Dewey project trees. A map was provided to council on the recommendation of where to place trees. A total of 15 trees are being recommended. Musachio questioned what kind of trees will be planted.

Bill Bronder, 100 Glen Street, suggested consideration of smaller trees for boulevard planting and working with neighbors to plant on their property.

Public Works Director Mark Pappenfus provided an overview on the conditions of streets including Broadway Ave N, Oak Drive, 1st Avenue W and Glen Street. Pappenfus requested permission to quote the city hall alley and Glen Street projects and bring the information back to council. Pappenfus also indicated the compost site will be opened as soon as it dries up.

City Administrator Sarah Brunn reminded the council of an upcoming meeting regarding the safe routes to school plan on April 9th at 10am at the Foley Schools. Brunn also indicated the Open Book meeting for city residents will take place on April 16th beginning at 3:00 p.m. Residents can make appointments by contacting the county assessor's office directly. Audit field work will take place on April 16th and 17th. Clean up day is scheduled for April 27th and will be conducted again by the Boy Scouts. Brunn also wanted the council to be aware that the planning commission is having discussions on a solar garden ordinance and regulations on tubular (hoop) buildings. Any recommendations will be forwarded to the council for considerations.

New Business

Brunn provided a copy of the garbage contract and indicated it is expiring on July 1st. Brunn indicated the contract has not been bid for 10 years so the council could choose to seek proposals or a contract extension to the current provider, Advanced Disposal. Musachio asked if the ticket system could be continued as part of the process. Motion by Gondeck, seconded by Swanson, to authorize staff to

develop and advertise an RFP for garbage services. The proposals will be brought back to the council for consideration.

Councilmember Swanson requested a discussion on Side-By-Side's or UTV's be placed on the agenda. Brosh questioned the current fees for golf carts. Brosh indicated support for allowing both ATV's and UTV's in town with no fees as they are currently required to be licensed with the DNR. Musachio asked for a recommendation from the police chief and McMillin indicated safety concerns with allowing them. McMillin also indicated if the council chooses to proceed, she requested the council consider a list of restrictions in an ordinance. The council had detailed discussion on the pros and cons.

Motion by Bettendorf, seconded by Musachio, to table the discussion on side-by-side's or UTV's until the next meeting. The council directed staff to develop an ordinance incorporating the restrictions recommended by Chief McMillin.

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

Sarah A. Brunn, Administrator