

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – May 7, 2019

The Foley City Council held a regular meeting on May 7, 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 Swanson, to approve the agenda. Motion carried, unanimous.

Consent Agenda

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

- Approve minutes of April 2, 2019.
- Approve updated Emergency Operations Plan.
- Approve disposal of city equipment.
- Adopt Resolution #2019-05 Approving Additional Transfers.
- Approve payment of bills paid for by checks #51278 – # 51353.

Motion carried, unanimous.

Public Hearing – Zoning Ordinance Amendments

Mayor Bettendorf recessed the regular city council meeting at 5:32 p.m. to conduct the public hearing on zoning ordinance amendments on hoop/tubular buildings. No one spoke. Mayor Bettendorf reconvened the regular city council meeting at 5:33 p.m. Motion by Gondeck, seconded by Musachio, to adopt Ordinance #433 – Amending Zoning Ordinance to regulate hoop/tubular buildings and approve summary publication. Bettendorf, Gondeck, Musachio, Brosh – aye. Swanson – nay. Motion carried.

Garbage Contract -

Councilmember Swanson asked if anyone from Advanced Disposal was at the meeting and questioned if a contract would be honored by Waste Management if a merger would occur. Jim Smith from Advanced Disposal spoke to the council but indicated little details of the merger have been presented. Jon Synder, Republic Services was at the meeting and answered a question regarding where the garbage is taken. Musachio also asked if staff had any recommendations or comments. Brunn indicated that if a contract is undertaken with Advanced that attorney recommendations be considered but indicated two of the proposals were very similar in costs. Synder reviewed some of the options in their proposal and detail on the recycling options. Motion by Brosh, seconded by Gondeck, to recommend a contract with Republic Services. Gondeck indicated support for either recycling options with Republic. Swanson expressed concern with the recycling charges as of late. Brosh indicated support with a bag or tag system. Gondeck indicated a desire to have two trucks in town like proposed by Advanced. Gondeck, Brosh, Swanson – aye. Bettendorf, Musachio – nay. Motion carried. Staff will work with Republic to transition to their service.

Discussion on UTV Ordinance

Musachio questioned if Chief McMillin had made any changes to her recommendation of not allowing ATVs and only considering UTVs. Chief McMillin indicated concerns for both types of vehicles operating in town. Gondeck reviewed concerns with both vehicles and considerations for safety. Swanson indicated ATVs and UTVs are both licensed through the DNR and believes there should not be a license fee. Swanson continued that safety requirements should be based on the state requirements, such as the sample Albany ordinance. Brosh indicated support for both UTVs and ATVs and support of the Albany sample ordinance. Swanson expressed concerns over the restrictions creating more work for the existing police department. Musachio indicated concern over pedestrian safety and has some concerns with noise of the vehicles. Bettendorf indicated a desire to hold a public hearing prior to official adoption even though it is not required. Motion by Musachio, seconded by Gondeck, to set a public hearing for the next meeting. Gondeck, Musachio, Bettendorf, Swanson – aye. Brosh – nay. Motion carried. Brunn questioned if any changes should be made to the ordinance prior to the June meeting. Brosh suggested dropping mandatory helmets for UTVs. Swanson indicated desire to drop the ordinance and go with state regulations only. Chief McMillin indicated the council can reach out to her directly to make additional suggestions. Gondeck requested language on requiring seat belts for golf carts as well be added.

Brunn requested the council clarify which option on the Republic proposal. Motion by Brosh, seconded by Gondeck, to approve option 1 of the Republic Services garbage proposal. Motion carried, unanimous.

Department Reports

Police Chief Katie McMillin reviewed the monthly law enforcement report. McMillin indicated a new seat belt law coming into effect and also the end of school year schedule. The council questioned how the offense is punished and indicated support for enforcement by the department.

City Engineer Jon Halter updated the council on the Dewey Street project. Work has begun on the punch list with final paving early to mid-June and hope to finalize before Foley Fun Days. Halter did indicate that the parade will be adjusted this year to protect the newly seeded lawns.

Halter presented quotes on the city hall alley project and Glen Street overlay. The low alley quote was \$67,621.50, just under the engineer's estimate. The project could be split into two sections if the council only decided to proceed with the John Street side. Staff is still doing more review on that project.

Halter then presented quotes on a Glen Street overlay. The low quote was \$169,321.10 which was over the engineer's estimate of \$138,414.40. Brosh questioned some of the curb and pedestrian work costs. Gondeck asked about the timing of the blacktop. Halter reviewed some contingency in the specifications. Brunn reviewed funding options and indicated not enough is available in the budget so the Glen project would require reserve funds be spent. Motion by Swanson, seconded by Musachio, to approve City Hall alley work low quote. Motion carried, unanimous. Motion by Musachio, seconded by Bettendorf, to approve Glen Street low quote. There was discussion on if this project could be deferred but the council expressed concern with continually rising constructions costs. Gondeck, Musachio, Swanson, Bettendorf – aye. Brosh – nay. Motion carried.

Mark Pappenfus, Public Work Director updated the council on spring activities of the department.

Brunn provided an update on the planned carpet replacement at City Hall. Due to not enough money being budgeted, only the city hall, main hallway and police department will be replaced this year. The library will be deferred a couple more years. Motion by Musachio, seconded by Brosh, to approve carpet quote of \$29,172.55 for the general fund and \$8,396.00 for the Fire Hall. The fire hall replacement will be paid out of the fire department fund. Motion carried, unanimous.

Brunn also update the council on the swimming pool, updates to the PouchTec discharge agreement, and wastewater capital investment committee presentation that is being planned for later this year. Brunn also asked the council how they would like to proceed with requests for city insurance agent representation. The council indicated it is only fair to take proposals on the representation since there is interest from multiple agents and it has not been done. Staff will prepare the requests and bring forward to the council at a later date.

Mark Pappenfus – Fire Chief and Larry Nadeau – Assistant Fire Chief gave an overview for a request for a new rescue truck for \$661,700. Brunn reviewed the financial impacts and how the funding would occur, which requires the spending of cash and also a loan from the expendable trust fund that would be paid back over the course of five years. Motion by Swanson, seconded by Gondeck, to approve the purchase of the truck. Motion carried, unanimous.

Old Business

Brunn updated the council on the wastewater project work. AE2S is working on an analysis of the facility plan and preferred alternative for the council and a report in June is expected. Brunn also indicated that she spoke to staff at St. Cloud and they almost have a formula or process finalized for how the connection fee will be determined and will receive that information in the coming weeks. A final connection fee is anticipated this summer. Staff indicated to St. Cloud that a final connection fee is needed prior to a decision being made on the design process which the council will make in September.

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

Sarah A. Brunn, Administrator