



**City Council – Meeting Agenda  
August 6, 2019 – 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 July 9, 2019.
  - Adopt Resolution #2019-9 Accepting Donation
  - Adopt Resolution #2010-10 Conditional Use Permit Clarification.
  - Approve promotion of Bart Kothman to full-time police officer position.
  - Approve liability coverage waiver form.
  - Approve payment of bills.
5. Update/Discussion on South Side Estates.
6. Mayor's Comments & Open Forum
7. Department Reports:
  - Police Department –Katie McMillin
  - City Engineer – Jon Halter
    - Update on Birch Drive project.
    - Update on City Alley project.
  - Public Works – Mark Pappenfus
    - Discuss Lion's Park Playground Equipment Purchase
  - Administration – Sarah Brunn
8. Old Business
  - Update/Discussion on sump pumps.
  - Update on wastewater facility plan.
9. New Business
  - Discuss potential land sale for remaining industrial park property.
    - Close the meeting per Minn. Stat. 13D.05 Subd 3(c) 13D.05 – discussion on potential land sale of PID's 130069400, 130069500, 130069600, 130069700.
10. Adjourn

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – July 9, 2019

The Foley City Council held a regular meeting on July 9, 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 Brosch.

Members Absent: None

The pledge of allegiance was recited.

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

**Consent Agenda**

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

- Approve minutes of June 4, 2019, with changes of age from 21 to 18 and changing Jerry to Terry Kotsmith.
- Adopt Resolution #2019-08 Accepting Donation.
- Approve Insurance Agent Service Contract with Tri-County Insurance.
- Approve payment of bills paid for by checks #51405 - #51476.

Motion carried, unanimous.

**Foley Public Schools – Site Plan Review for School Addition**

Ron Spoden was at the meeting representing Foley Public Schools and presented a site plan for a school addition to the high school behind the wrestling room and in the industrial arts wing. Gondeck relayed that no issues were found at planning and they recommend approval. Motion by Swanson, seconded Musachio, to approve the site plan addition. Motion carried, unanimous.

**Wastewater Treatment Facility Plan – AE2S- Scott Schaefer**

Scott Schaefer indicated some items remain outstanding, but a lot of the review has been completed. Schaefer indicated a large financial need overall in the state for wastewater projects. Sulfate was discussed and a longer termed option to St. Cloud is one way to mitigate the limit. The different alternatives were reviewed. In addition to the facility plan review, AE2S also reviewed regionalization with Milaca, other rivers/streams and future sulfate treatment.

Schaefer indicated the connection fee is still in the works, but appears to be on track with our original estimate of \$6 million. That number will be relayed as soon as its available. Schaefer also indicated a connection point has been determined by the old Honda House. There was additional overview of the flow request and how much Foley would contribute to the overall system. The Foley infrastructure needs were reviewed, including the advantage of equalization ponds being utilized as part of the system. I/I reductions will also become critical in the future.

The use of smaller sized dual pipes was reviewed creating better flow, controlling odor and reducing corrosion over time. Odor is something St. Cloud will regulate with Foley's flow in the future. The life expectancy of a pipeline was discussed and the dual pipeline approach could allow for a life expectancy of 60-100 years. The hydraulics of the route also indicate a drop of about 75 feet from Foley to St. Cloud which will need to be incorporated into the final design.

Schaefer reviewed the different route considerations, including easements, natural and manmade obstacles, maintenance/access and cost implications. Lastly, the facility plan costs were reviewed and Schaefer indicated the facility plan costs were appropriately conservative but with additional review there may be some potential to save some money off of the estimates.

Brosh questioned why a treatment plant was even considered with the sulfate exposure. Schaefer indicated an issue with a sulfate standard that it was not being enforced and the agency is having trouble with putting a new standard in place. Swanson asked if we can realistically use our existing golf ponds without a significant investment. Schaefer indicated golf is a good option for equalization. Brosh asked how deep pipes would go and if they would be dug or directional. Schaefer indicated they would be placed about 7-7 ½ feet down and a combination of dug and directional drilling. Gondeck questioned about lift stations and there was discussion about a possibility of not having an intermediate pumping station. Brosh asked about costs to easements with this alternative. Musachio asked about the pumps and if dual pumps would reduce the number of pumps which Schaefer confirmed is a possibility.

#### **Update on Foley Public Library**

Brandi Canter, Patron Services Supervisor for Great River Regional Library gave an overview of the sharing of a library coordinator with another entity. Swanson asked why a local and current employee of the library wasn't considered for the position in Foley. Canter explained the desire to create a benefit eligible position, which was established by combining the two smaller community positions. Canter indicated the Foley combination would be the 8<sup>th</sup> combination position in the system. Canter also indicated the hiring of another library assistant to add to staff hours at the Foley location. Canter indicated no change to hours of operation. Swanson wishes there would be more consideration of local and current staff for additional staffing. Gondeck agreed that the local people should work the local library. Musachio expressed concern that the library board was cut out of the process and wished their consideration was taken early before the decision was made. Canter indicated Great River does not consider city input when making staffing decisions. Musachio indicated concern with the comment that the community input is not considered, as it goes against our initiative and desire to create a community library and organization. Gondeck challenged why if the library desires the community needs why they refuse to consider their input as part of the process. Brosh hoped the transition works well. Swanson and Gondeck indicated no good reason has been given to why the decision was made without city input prior.

#### **Discussion on councilmember salaries**

Brosh indicated a desire to raise the salaries after the next election and proposed \$150 a meeting and \$75 a half day. Musachio asked if staff had any suggestions and was told more information could be gathered. Musachio desired to look into the item further. Bettendorf indicated the pay is not important.

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

Judy Weis, 340 2<sup>nd</sup> Avenue, let the council know that she felt the council did a good job with expressing concerns on the process of the library hiring. Weis indicated the council spoke well for the library board. Weis indicated input should be allowed even if the final decision is not their responsibility.

**Department Reports**

Police Chief Katie McMillin reviewed the monthly law enforcement report. McMillin updated the council on staffing of the department and a meeting of the personnel committee. Motion by Gondeck, seconded by Bettendorf, to promote a part-time officer to a full-time position. Brosh asked about the order. Motion carried, unanimous.

City Engineer Jon Halter updated the council on the Dewey Street project which is near complete. Glen Street concrete is complete with blacktop planned later in the month. The alley work is on hold until Xcel and phone utility work is completed. Gondeck questioned if some re-seeding on the Dewey Street could be re-done and Halter indicated it is in the plan if necessary.

Mark Pappenfus, Public Work Director updated the council on the activities of the department. Pappenfus presented the diving board quote and requested approval. Motion by Swanson, seconded by Gondeck, to approve the purchase and installation of the diving board. Motion carried, unanimous.

City Administrator Sarah Brunn updated the council on the safety inspection report, sump pumps and upcoming budget cycle. Brunn also indicated a desire to move a wastewater design decision forward in September.

**New Business**

Brosh asked if the council wanted to conduct any follow-up on the Watcrott complaint.

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

---

Sarah A. Brunn, Administrator

CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA

RESOLUTION 2019 - 09

A RESOLUTION ACCEPTING DONATION FOR FIRE DEPARTMENT

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, Great River Federal Credit Union has offered to donate funds for the Foley Fire Department for 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 Great River Federal Credit Union for their generous donation.

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota, this 6th day of August 2019.

---

Gerard L. Bettendorf, Mayor

ATTEST:

---

Sarah A. Brunn, City Administrator

CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA  
RESOLUTION 2019 - 10

A RESOLUTION CLARIFYING DETAILS OF A CONDITIONAL USE PERMIT

WHEREAS, the City of Foley issued a Conditional Use Permit for the operation of a nursing center campus located at 253 Pine Street on October 16, 2007.

WHEREAS, such property is legally described as **Exhibit A** to this resolution.

WHEREAS, the Conditional Use Permit is recorded against the property as Document #352796 at the Benton County's Recorder's Office.

WHEREAS, the number of beds stated in the conditional use permit was incorrectly stated as 87 total beds with 10 beds on layaway;

WHEREAS, the Zoning Administrator for the City of Foley is recommending the record be officially noted of this misstatement and corrected;

THEREFORE, BE IT RESOLVED the City of Foley recognizes that the facility located at 253 Pine Street (legally described as **Exhibit A**) is eligible to be licensed for up to 89 beds and is allowed 11 beds on "lay away" through licensure of the State of Minnesota.

BE IT FURTHER RESOLVED, any expansion of beds in operation beyond the 89 beds will require an amendment to the conditional use permit.

Passed and adopted by unanimous vote of the Foley City Council, this 6<sup>th</sup> day of August, 2019.

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

ATTEST:

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

STATE OF MINNESOTA     )

) ss

COUNTY OF BENTON     )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019, by Gerard L. Bettendorf, as the Mayor of the City of Foley, Minnesota, a municipal corporation under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

STATE OF MINNESOTA     )

) ss

COUNTY OF BENTON     )

The foregoing was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019, by Sarah A. Brunn, as the City Administrator of the City of Foley, Minnesota, a municipal corporation under the laws of the State of Minnesota.

\_\_\_\_\_  
Notary Public

## Exhibit A

### LAND DESCRIPTION

#### TRACT "A":

The South 500 feet of the West 800 feet of that part of the Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) of Section Thirty-five (35), township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian, lying Easterly of Norman Avenue and Northerly of Pine Street in the City of Foley, being more particularly described as follows, to-wit:

Commencing at the Northwest corner of Lot 18, Block 1 of Foley Development Plat, as shown on the plat thereof, which is on file and of record in the office of the Registrar of Deeds in and for said Benton County, Minnesota, said point being on the Easterly right of way line of Old State Highway No. 25, now known as Norman Avenue; thence Northerly on said right of way line 195 feet to the Northerly line of Pine Street in the City of Foley, said point being the point of beginning; thence continuing North on the Easterly right of way line of Norman Avenue a distance of 500 feet; thence Easterly and parallel with the Northerly line of Pine Street a distance of 800 feet; thence Southerly and parallel with the Easterly right of way line of Norman Avenue a distance of 500 feet to the Northerly line of Pine street; thence Westerly along the Northerly boundary line of Pine Street a distance of 800 feet to the point of beginning and there terminating, containing 9.18 acres more or less.

#### TRACT "B":

That part of the Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) of Section Thirty-five (35), township Thirty-seven (37) North, Range Twenty-nine (29) West, Fourth Principal Meridian, described as follows:

Commencing at the Northwest corner of Lot Eighteen (18), Block One (1), Foley Development Plat, as shown on the recorded plat thereof on file and of record in the office of the County Recorder, Benton County, Minnesota, said point being on the Easterly right of way line of Old State Highway Number 25, (now known as Norman Avenue); thence North on said right of way line a distance of 695 feet to the point of beginning of the tract to be described herein; said point being also the Northwest corner of a tract of land conveyed to Foley Enterprises, Inc., by Warranty Deed recorded in Book "122" of Deeds on page 10; thence East along the Northerly line of said tract of land conveyed to Foley Enterprises, Inc. and said line extended Easterly, a distance of 800 feet to a point; thence North and parallel with the East line of said Norman Avenue to the southerly railroad right of way of Burlington Northern Inc.; thence Southwesterly along said railroad right of way to the Easterly line of said Norman Avenue; thence South along the Easterly line of said Norman Avenue to the point of beginning and there terminating, containing 4.7 acres, more or less.



*Protecting, Maintaining and Improving the Health of All Minnesotans*

January 2, 2018

CCN: 24-5325

Mr. Andrew Huhta, Administrator  
Foley Nursing Center  
253 Pine Street  
Foley, Minnesota 56329

Dear Mr. Huhta:

This letter will serve to amend the license for the above-mentioned facility, to reflect the delicensure of eleven beds in accordance with the letter dated October 25, 2017. Effective December 29, 2017, the license for the above facility will read as follows:

**78 - Nursing Home Beds**

In accordance with your request and Minnesota Statute 144A.071 Subd. 4b. as amended by the Minnesota State Legislature, these eleven beds are placed on layaway effective December 29, 2017.

Effective December 29, 2017, the number of beds in your facility's Medicare certified area are decreased from 89 beds to 78 beds in accordance with a change in licensure. Please do not make additional changes in your certified area without prior approval from this office.

If vacated spaces will be remodeled or reconstructed, Department approval of the project is required. Please contact the Engineering Services Section if you have questions regarding the approval process.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads 'Debby Baker'.

Debby Baker, Certification Specialist  
Health Regulation Division  
Licensing and Certification Program  
Minnesota Department of Health  
Telephone: (651) 201-4103 Fax: (651) 215-9697  
Email: [debby.baker@state.mn.us](mailto:debby.baker@state.mn.us)

cc: Minnesota Department of Human Services  
Attn: Provider Enrollment  
Attn: Audit Division  
Benton County Human Services  
Darwin Schwantes, President, Governing Board  
Licensing and Certification File



CONNECTING & INNOVATING  
SINCE 1913

### LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to [psstech@lmc.org](mailto:psstech@lmc.org).

*The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.*

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: City of Foley

Check one:

- ☒ The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.
- ☐ The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: \_\_\_\_\_

Signature: \_\_\_\_\_ Position: \_\_\_\_\_

145 UNIVERSITY AVE. WEST  
ST. PAUL, MN 55103-2044

PHONE: (651) 281-1200 FAX: (651) 281-1299  
TOLL FREE: (800) 925-1122 WEB: [WWW.LMC.ORG](http://WWW.LMC.ORG)

# Bills List - August 6, 2019

Gross Salaries	Payroll - 7/19/19	\$	35,480.29
EFTPS	Federal Withholding	\$	6,727.61
MN Dept of Revenue	State Withholding	\$	1,354.48
State Treas. PERA	PERA	\$	5,011.22
Nationwide	Deferred Comp	\$	695.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	80.00
Further	HSA Contribution	\$	39.00

Gross Salaries	Payroll - 8/2/19	\$	37,787.86
EFTPS	Federal Withholding	\$	7,282.22
MN Dept of Revenue	State Withholding	\$	1,459.80
State Treas. PERA	PERA	\$	4,999.58
Nationwide	Deferred Comp	\$	695.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	80.00
Further	HSA Contribution	\$	465.00

## Already Paid - 8/6/19

Further	Admin Fee & Employer HSA Contribution	\$	382.30
Frandsen Bank & Trust	Deposit Forms & Safe Deposit Box	\$	68.23
EFTPS	Form 720 Return	\$	57.36
MN Dept of Revenue	June 2019 Sales & Use Tax Return	\$	253.00

## To Be Paid - 8/6/19

Adam Orton	4th Ave S Driveway Settlement	\$	2,500.00
AE2S	WW Facility Plan Peer Review	\$	2,415.50
All America Pressure Washer MFG	Pressure Washer	\$	3,175.00
Auto Value	Street & Park Repair	\$	214.44
Batteries Plus Bulbs	Pool and Public Works Batteries	\$	53.77
Benton County Attorney	June 2019 Attorney Fees	\$	616.00
Benton County Highway Dept	PD Fuel	\$	882.34
Bound Tree Medical	FD Supplies	\$	375.72
Braun Intertec	Gopher & Glen St	\$	1,063.00
Chamberlain Oil Co	Shop Supplies	\$	94.65
Cintas	Uniforms & Mats	\$	394.14
CNA Surety	MN Blanket Notary Errors and Omission Policy	\$	37.50
Core & Main	Street Repair	\$	1,680.00
Customized Fire Rescue Training	FFD Training - SCBA Survival	\$	1,500.00
Delta Dental	Employee Dental Insurance	\$	984.65
Dyna Systems	Sewer Supplies	\$	264.45
Emergency Response Solutions	FD Equipment	\$	2,026.43
Ferguson Enterprises LLC	Water Equipment	\$	44.99
First National Bank of Omaha	Credit Card Purchases	\$	1,145.11
Foley Hardware	Safety Equipment - Roehl Boots	\$	250.00
Gilman Coop Creamery	Street Misc	\$	5.00
Gopher State One Call	Email Tickets	\$	55.35
Handyman's Hardware	Shop Supplies	\$	438.54
Hawkins	Water & Pool Chemicals	\$	3,003.15
Helmin Construction	Water Supplies	\$	296.74
Hildi Inc	FFD Relief Association GASB Fees	\$	2,100.00
Kuechle Underground	Dewey St Project	\$	252,364.37
League of MN Cities	Insurance Deductable	\$	1,000.00
Locators & Supplies	Street Supplies	\$	270.10
Macqueen Equipment	Street Maint	\$	178.00
Marco	Copier Lease	\$	333.46
MarTeck	City Hall & Park Supplies	\$	726.00
MN Highway Safety & Research Center	FD Training	\$	2,860.00
New Frontier Services	Website Services	\$	340.00
Northland Securities	2018 TIF Reporting Services	\$	1,980.00
Resource Training & Solutions	Safety Inspection	\$	750.00
Rinke Noonan	General, Zoning, PD, Union Legal Fees	\$	2,676.50

Riteway Business Forms  
Short Elliott Hendrickson  
Silt Sock - TIF  
Sun Life Assurance Company  
Surplus Services  
USable Life  
Verizon  
Voss Lighting  
WEX Bank  
Xcel Energy

Utility Forms	\$	457.70
I&I, Dewey, CIP & General Engineering Fees	\$	17,239.64
2019 TIF payments	\$	21,242.41
Employee LTD Insurance	\$	196.16
Shop Tools	\$	36.00
Employee Life Insurance	\$	186.50
Cell Phone & Trail Cams	\$	370.61
Light Bulbs	\$	500.29
Fuel Purchases	\$	155.30
Utilities	\$	6,435.89

***Additional To Be Paid - 8/6/19***

---

**\$ 438,833.35**

# INDEPENDENCE SERIES

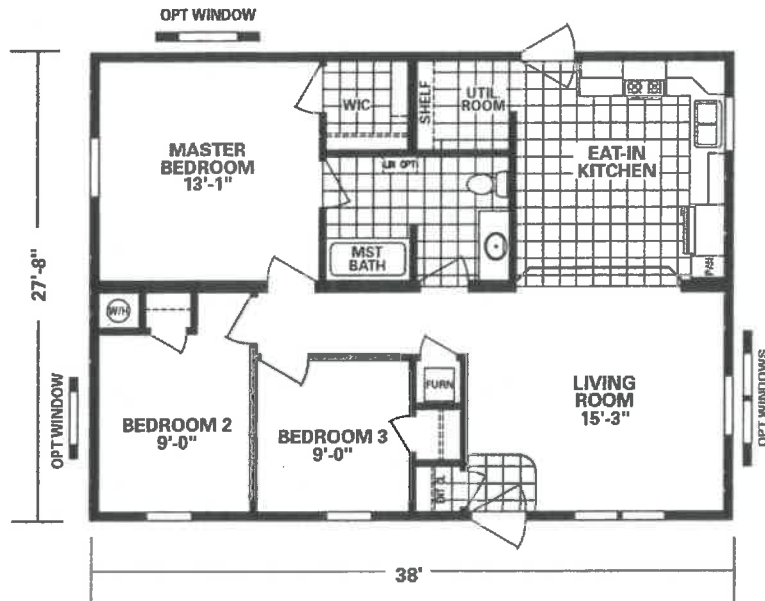


MULTI  
SECTION  
HOMES

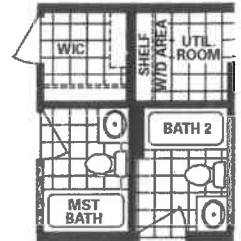


MODEL # **INDEPENDENCE 24**

BOX SIZE: 38' X 28' SQUARE FOOTAGE: 1051  
3 BEDROOMS 1 BATHROOMS



OPTIONAL KITCHEN

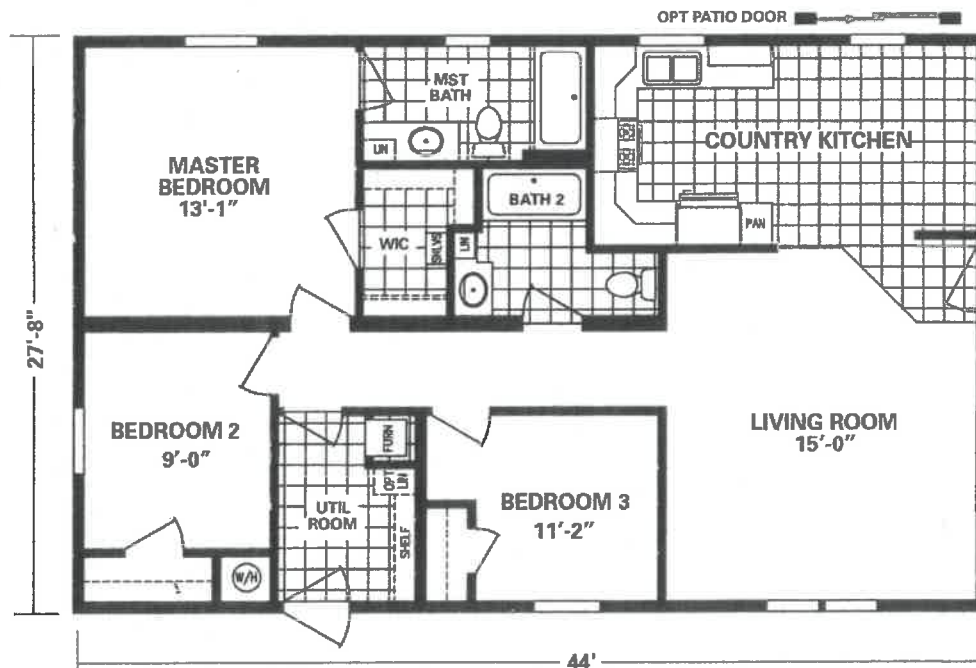


2ND BATH OPTION

*ask*

MODEL # **INDEPENDENCE 518**

BOX SIZE: 44' X 28' SQUARE FOOTAGE: 1217  
3 BEDROOMS 2 BATHROOMS



*ask*

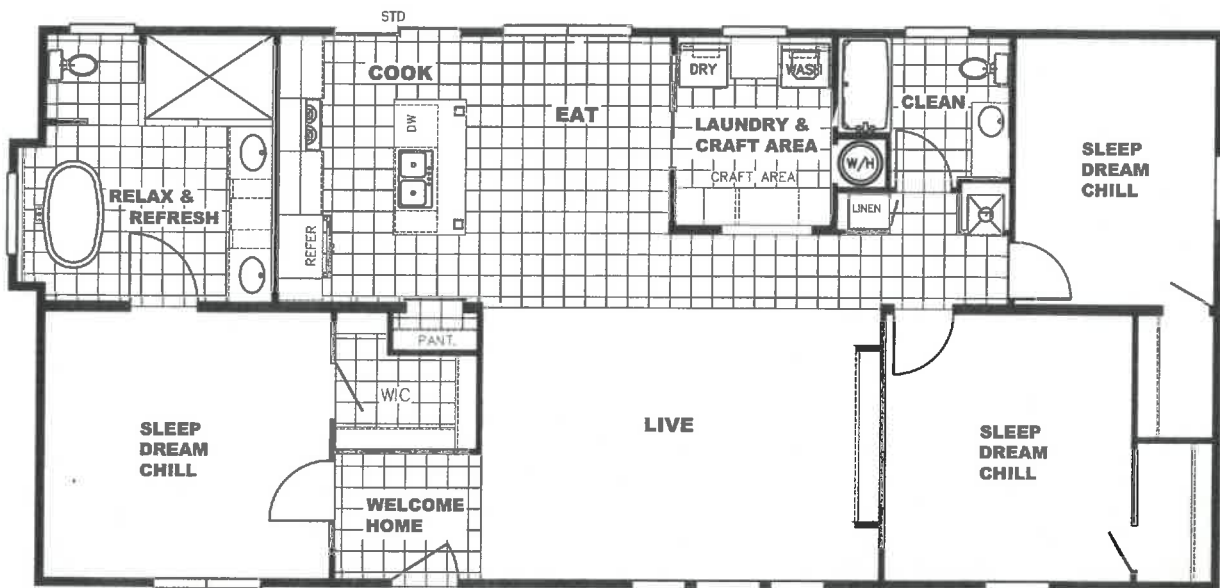


**THE  
PATRIOT**

1,559 SQ FT. • 3 BEDS / 2 BATHS • 28x56

**SCHULT**  
★  
REDWOOD FALLS

## THE WASHINGTON



## INTERIOR FEATURES



- ▶ GRANITE KITCHEN ISLAND
- ▶ SOLID WOOD CABINET DOORS
- ▶ LUXURY WALK-IN TILE SHOWER
- ▶ FREE STANDING OVAL TUB
- ▶ STYLISH BARN DOOR & POCKET DOOR

# INDEPENDENCE SERIES MULTI SECTION STANDARD FEATURES

## INTERIOR

- Vaulted Ceiling Throughout
- Print or Neutral Drape Package
- Delight Carpet with 8 lb. Pad
- Beauflor Vinyl Flooring
- Textured Gypsum Ceiling
- Kaffe Upgrade Trim
- 7'-6" Sidewall Ceiling Height
- Entry Foyer
- Finished Drywall Throughout
- Wire Vented Shelving – Closets, Linens and Pantries
- 3 LED Can Light Kit
- 2 LED Can Light DR
- 1 LED Can Light Hall
- 1 LED Can Light UTR
- 2-Panel Hollow Core White Passage Doors
- Perimeter Baseboard Heat Registers

## KITCHEN

- Drawer Over Door Cabinet Construction
- Kaffe Hardwood Shaker Doors and Drawers
- Hardwood Cabinet Fronts
- 30" Overhead Cabinets with Finished Backs
- Brushed Satin Nickel Cabinet Door and Drawer Pulls
- Concealed Cabinet Door Hinges
- Refrigerator Overhead Cabinet
- Deep Stainless Steel Sink
- Receptacle with Ground Fault Interrupter
- Deluxe Roller Guide Drawer System
- Adjustable Shelves in Overhead Cabinets
- Pot and Pan Drawers
- One Set of Pullout Shelves Kitchen Base Cabinet
- 4" Laminate Back Splash with Self Edge Laminate

## BEDROOMS

- Wardrobes with Passage Doors
- Smoke Detector – All Bedrooms
- Egress Window – All Bedrooms
- Ceiling Light – All Bedrooms

## APPLIANCES

- Frigidaire 18 Cu. Ft. 2-Door Frost Free Refrigerator
- Frigidaire 30" Free Standing Gas Range
- Power Range Hood with Light
- 40 Gallon Electric Water Heater
- Auto Ignite Gas Furnace with In-Floor Duct System
- Passive Air Quality Improvement System

## BATHS

- Kaffe Hardwood Shaker Doors and Drawers
- Hardwood Cabinet Fronts
- Square Lavs with Dual Control Faucets
- 60" 1 Piece Tub/Shower – All Baths
- Single Lever Tub/Shower Faucets
- 36" Vanity Height – Master Bath
- 32" Vanity Height – Bath #2
- Shower Curtain and Rod – All Full Baths
- Mirror Over Vanity with Decorative Light – All Baths
- Bottom Shelf in Bath Vanity
- Elongated Stools
- Receptacle with Ground Fault Interrupter
- Broan Vent Bath Fan with LED Light – All Baths
- Linen Cabinet in Master Bath – Most Models
- Brushed Satin Nickel Towel Bar and Tissue Holder – All Baths
- 4" Laminate Back Splash with Self Edge Laminate

## CONSTRUCTION

- Steel I-Beam Frame
- Tongue & Groove Floor Decking
- 2" x 8" Floor Joist – 16" O.C.
- 2" x 6" Sidewall Studs – 16" O.C.
- Truss Type Rafters (30# Roof Load)
- Self-Sealing Architectural Style Shingles – Lifetime Limited Warranty and 130 MPH Wind Rating
- Continuous Ridge Vent Roof Ventilation
- Full-Length Structural Beam
- HUD Seal

## EXTERIOR

- 36" 6-Panel Front Door with Deadbolt and Storm
- 36" 6-Panel Rear Door with Deadbolt and Storm
- Contractor Locksets
- Lights at All Exterior Doors
- Vinyl Lap Siding with Structural Sheathing
- 3 ½" Vinyl Trim Around All Windows and Front Door
- 2 Exterior Receptacles with Ground Fault Interrupter
- 20' Dbl Dormer with 3 Posts and Shakes in Large Part of Dormer
- Vinyl Low E Windows (meet 2015 Energy Code)
- Exterior Frost Proof Faucet Near Kitchen Sink
- Windwrap Sidewalls
- Ice Shield
- Independence 24 STD Ext. will be a 10' Dormer with Shakes in Dormer (No Posts)

## INSULATION

- Fiberglass Insulated Heat Duct (Saves up to 18% Energy Costs)
- \*R-38 Blown Ceiling Insulation with Vapor Barrier (R-45 Available)
- \*R-19 Fiberglass Insulation in Walls (R-21 Available)
- \*R-11 Fiberglass Insulation in Floors (R-22 Available)
- \*The higher the R-Value, the greater the insulation power

## UTILITY

- Utility Room with Laundry Area
- 100 Amp/24 Circuit Entrance Service with Conduit Through Floor
- Black Gas Piping with Valve at Furnace and Range
- Beauty Ring Seals – All Stools
- Copper Wiring Throughout – Fully Grounded
- Class "A" Lined Furnace and Water Heater Closet
- Wire and Plumb for Washer
- Wire and Vent for Dryer
- Freezer Space (Where Available)
- Vented Wire Shelf in Laundry Area
- Rocker-Type Light Switches
- Main Water Shut-Off Valve
- Water Shut-Off Valves Lavs & Stools
- Carbon Monoxide Detector
- Home Office Prewire & USB Charging Station – All Desks

*Sh2 P. 1,200*



# Foley Police Department

## Calls for Service - 2019

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Driving Conduct	8	10	17	11	16	13	16						
Equipment Vio.	19	6	39	25	20	15	10						
Speed	14	8	30	30	24	17	31						
DWI/DUI	2	3	1	1	2	0	1						
DAR/S/C	0	0	2	3	3	1	3						
# Citations Issued	*4	*4	*9	*9	*5	*10	*7						
Accidents	5	7	1	0	2	0	2						
Hit and Run	2	0	0	0	1	0	0						
Gas Drive Offs	0	1	2	0	2	3	0						
Thefts	3	6	10	9	9	5	6						
Controlled Substance	2	3	0	0	1	1	6						
Suspicious Activity	20	15	22	19	24	13	23						
Burglaries/Robbery	0	0	1	2	2	0	3						
Medicals/Welfare	30	17	19	17	14	25	14						
Assaults/Domestics	5	7	5	13	8	7	4						
Harassment	5	7	3	2	3	6	2						
CDP/Vandalism	0	1	1	3	0	2	3						
Animal Complaints	10	3	5	7	10	8	10						
City Ordinance	2	1	5	8	14	18	11						
Parking Tickets	39	28	48	0	0	1	0						
Disturbing the Peace	3	4	3	10	6	10	9						
Gun Permits	1	1	3	0	5	3	0						
Warrant Arrests	1	3	0	0	1	1	3						
Civil	1	6	4	9	9	1	13						
Lockout	3	2	3	4	2	1	4						
Assist other Agencies	18	16	20	24	19	24	32						
Special Events	1	3	1	3	1	5	1						
Misc.	54	50	91	59	79	53	47						
TZD Hours	0 Hours	0 Hours	13.5 Hours	4 Hours	15.75 Hrs	0 Hours	10 Hours						
Total:	248	208	336	259	277	233	254						

Misc Includes: Alarms, Extra Patrols, House watches, Matter of Info, etc.

KM8801



8632 Eagle Creek Circle, Savage, MN 55378  
**www.MIDWESTPLAYSCAPES.com**

direct: 952.895.8888  
fax: 952.895.8889  
toll free: 800.747.1452

playscapes@earthlink.net

## Quotation



**Project:** City of Foley

**Contact:** Mark Pappenfus

**Ship To:**

Foley, MN 56329

**Email:** [mpappenfus@ci.foley.mn.us](mailto:mpappenfus@ci.foley.mn.us)

**Shipping Contact Name:**

**Phone:** 320-290-9186

**Fax:**

**Bill To:**

**Date:** 7/8/2019

Qty	Design/Item #	Description	Total
1	350-1504	Playworld Playstructure (List Price \$29,500 / Save \$7,696)	Sale Price: \$ 21,804.00
1		8' Swing with (2) Belt Seats & (1) Toddler Seat (List Price \$1,988 / CPC Discount \$337)	\$ 1,651.00
216 linear ft		Plastic Border Timbers (List Price \$2,916 / CPC Discount \$486)	\$ 2,430.00
100 cu yds	EWf	Engineered Wood Fiber Safety Surfacing Product - Tamarack *Price of Wood Fiber includes Freight	\$ 2,150.00
			Subtotal \$ 28,035.00
			Freight \$ 2,747.00
			Sales Tax \$ -
			<b>Total \$ 30,782.00</b>

Tax Exempt # \_\_\_\_\_

\* Please provide certificate

### Options

☐ Add \$5,270 for Installation of just the play equipment.

☐ Add \$2,200 for a Supervised Installation of just the play equipment.

**NOTE:** Customer is responsible for unloading, freight inventory, storage, site prep, drainage & disposal of packaging material.

**NOTE:** Customer to install the Safety Surfacing and Border.

**NOTE:** Any Insurance requirements above \$1,000,000 General Liability will be subject to a surcharge

**NOTE:** UNLESS OTHERWISE NOTED, prices shown are material only. They **DO NOT** include: assembly, installation, border, safety surfacing, drain tile, geotextile fabric, removal of existing equipment, site preparation, excavation or site restoration, unloading of equipment, disposal of packaging material, storage of equipment, additional insurance and bonding would be extra, unless otherwise stated above. If playground equipment or materials are stored off site, customer is responsible for transporting equipment to job site.

Prices firm for 30 days, subject to review thereafter. Our terms are net 30. A finance charge of 1.5% will be imposed on the outstanding balance unpaid for more than 30 days after the shipment of materials. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Retainage not accepted. Once customer has signed quotation, your order cannot be changed or canceled. Please allow 3 to 4 weeks for delivery after receipt of order. Standard manufacturing design, specification, and construction apply unless noted otherwise. Customer is responsible for the identification and marking of all underground utilities (public or private) to include drain tile and sprinkler systems. Area must be accessible to Bobcat and other equipment necessary for installation or additional fees will be charged. Freight quote is based on customer unloading equipment and checking in all equipment for any missing parts. If product is refused by customer upon delivery for any reason (unless damaged), without prior authorization from Midwest Playscapes, Inc., the customer agrees to pay 20% restocking fee plus freight charges. Price does not include prevailing wages, unless otherwise noted. If we can be of Other Assistance, please feel free to contact us.

Signed: \_\_\_\_\_

Mike Korth

Accepted \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_



# Lions Park

Sales Representative  
**MIDWEST  
PLAYSCAPES**  
8622 EAGLE CREEK CIRCLE  
SAVAGE, MN 55376  
PHONE: 1800.447.1452  
EMAIL: [info@midwestplayscapes.com](mailto:info@midwestplayscapes.com)

Equipment Manufacturer  
**PLAYWORLD**  
The world needs play.

FEET & COMPONENT	ROTOMOLD PLASTIC	Z-COLOR PLASTIC	ECO-ARMOR
Green	Blue	Blue-Yellow	Blue
Yellow	Red		
Blue			



# Lions Park

18-203111-1110

Sales Representative

**MIDWEST  
PLAYSCAPES**

9832 EAGLE CREEK CIRCLE  
SOMER, IN 46556  
PHONE: 800-445-7522  
EMAIL: [PLAYSCAPES@MIDWESTPLAYSCAPES.COM](mailto:PLAYSCAPES@MIDWESTPLAYSCAPES.COM)

Equipment Manufacturer

**PLAYWORLD**  
The world needs play.



EQUIPMENT SIZE:  
30'1" x 18'11" x 11'5"

USE ZONE:  
**76' x 32'**

AREA:  
2,432 SqFt.

PERIMETER:  
216 Ft.

**FALL HEIGHT:**  
**8 Ft.**

**USER CAPACITY:** 39

**AGE GROUP:** 5-12

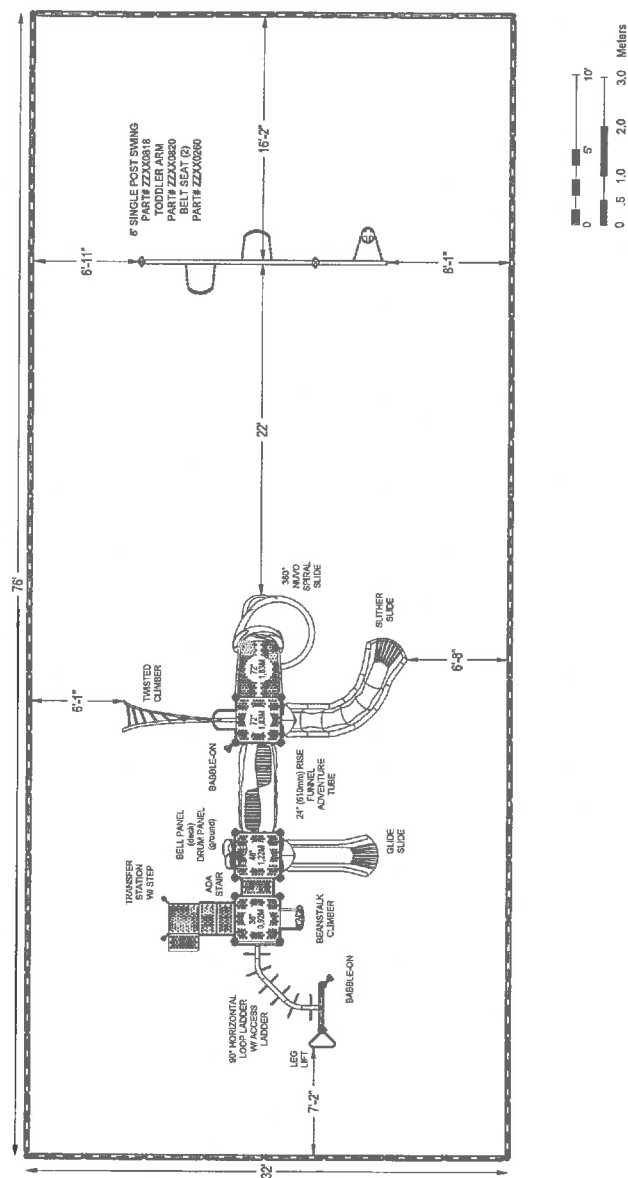
ADA SCHEDULE	Required	4	3	3
	Provided	8	6	4
	Accessible Elevated Activities Accessible Ground-Level Activities Accessible Ground-Level Play Types			
Total Elevated Play Activities:		8		
Total Ground-Level Play Activities:		8		

- ✓ ASTM F1487-17
- ✓ CPSC #325

PROJECT NO: 18-265B.MID	SCALE: 1/8"=1'-0"
----------------------------	----------------------

DRAWN BY:	Paper Size
-----------	------------

DATE: 08-JUL-11



**\*PLAYGROUND SUPERVISION REQUIRED**



Building a Better World  
for All of Us®

## MEMORANDUM

TO: Sarah Brunn, City Administrator

FROM: Jessica Hedin, PE (Lic. MN)

DATE: July 29, 2019

RE: Response to Peer Review of Facility Plan  
SEH No. FOLEY 142860 14.00

We appreciate the City's efforts in engaging AE2S to complete a peer review of SEH's Wastewater Facility Plan. In general AE2S's peer review validated the options included in the plan as well as the preferred alternative and its costs. We agree that there are a number of design details that should be further considered (one pipe vs. two pipes, number of lifts stations, alignment, etc.); but believe more information needs to be gathered and analyzed before those decisions can be made. SEH's standard practice is to consider those types of design details early on in the design process so that we can share our findings and recommendations with the city; and at that point SEH will work with the city to select the most appropriate alignment, pipe sizing, and lift station locations, etc. to ensure the City of Foley has an infrastructure improvement that will function well for your community long into the future.

On July 9, 2019 AE2S presented the outcome of the peer review of the Foley WWTF Facility Plan prepared by SEH. At a high-level, AE2S did not identify any significant points that would alter the selection of the City's preferred alternative in the Facility Plan. There are a few considerations and opinions AE2S offered and the following addresses SEH's response to these items: (1) additional alternatives, (2) update on the connection to the City of St Cloud, (3) potential infrastructure considerations for the regionalization alternative, and (4) costs.

### Additional Alternatives

The additional alternatives presented by AE2S are consistent with the findings of SEH's preliminary review prior to preparing the Facility Plan. For example, some of the items presented during the discussion of additional alternatives, such as looking at other discharge locations, were items that SEH reviewed prior to starting the Facility Plan for the WWTF. SEH had initial discussions with MPCA and reviewed the new Mississippi-St Cloud Watershed Phosphorus Limit Analysis to determine if other potential waterways would have less impact on the discharge limits for the Foley WWTF. Early on, SEH was able to determine that alternate discharge locations were likely not feasible. SEH selected treatment alternatives, along with the City, to evaluate in the Facility Plan that were appropriate for the current discharge location.

The possibility of a future sulfate limit was suggested by AE2S. SEH agrees that the Foley WWTF remains at risk for a sulfate limit and there is no clear direction by MPCA at this time for setting limits or when they may start implementing them in permits. Therefore, SEH selected a variety of alternatives that were appropriate for the preliminary effluent limits provided by MPCA for the Foley WWTF keeping in mind future limits for other constituents. After the cost analysis for the alternatives was complete, SEH supported the City in developing non-monetary factors to identify regionalization with the City of St Cloud as the preferred alternative. This alternative was desirable for many reasons but also addressed the risk of future sulfate or other limits.

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 1200 25th Avenue South, P.O. Box 1717, St. Cloud, MN 56302-1717  
SEH is 100% employee-owned | [sehinc.com](http://sehinc.com) | 320.229.4300 | 800.572.0617 | 888.908.8166 fax

### **St Cloud Connection**

AE2S stated that an update to the tie-in location to the St Cloud collection system has been provided and will require an additional 1.5 miles of forcemain. During the Facility Planning process SEH participated in meetings with the City of St Cloud and the City of Foley to discuss the potential connection to the St Cloud collection and treatment system. At these meetings the City of St Cloud provided two locations where Foley could tie-in to the system and one of those locations was used in the Facility Plan to determine a potential alignment and length of pipe. The tie-in location at Energy Drive and 35<sup>th</sup> Ave NE was used because it was the closest to Foley. Near the end of June 2019 (after the Facility Plan was submitted to MPCA) the City of St Cloud informed the City of Foley that the other tie-in location at Mayhew Lake Rd and CR 75 was preferred. The alignment identified in the Facility Plan will have to be altered to accommodate the Mayhew Lake Rd and CR 75 tie-in location assuming this is the selected location. Final determination of alignment, tie-in location, and other details are part of the design process and will be addressed at that time, after further discussion with all parties.

AE2S stated that the City of St Cloud continues to work on making a final determination of the connection fee for the City of Foley to connect to the St Cloud collection system and wastewater treatment facility. During the Facility Planning process the City of St Cloud provided SEH with a range of costs for the connection fee. They estimated the range to be \$6-\$9 million, but suggested that a third party review be conducted to determine if the methodology used to calculate the connection fee amount was appropriate. The third party review is still underway and the Facility Plan used a \$6 million connection fee in the cost estimate for the regionalization alternative. The City of St Cloud also provided estimates of user fees based on the current and projected flows and loads provided by SEH. The user fees are based on the typical rate structure the City of St Cloud uses with other cities that use the St Cloud WWTF. SEH is familiar with the fee rate structure because we are the City Engineer for other user communities including Sartell, Sauk Rapids, and Waite Park where similar agreements with a common approach to rates is used for all of these communities. The user fees calculated by the City of St Cloud were included in the operation and maintenance cost estimates prepared for the Facility Plan.

### **Pipeline/Infrastructure**

Toward the end of the presentation AE2S discussed some thoughts on infrastructure improvements for the regionalization alternative including the following:

- Using Golf Pond as equalization prior to sending waste to St Cloud
- Performing I&I improvements in the City collection system to reduce flow to the system
- Potential of two pipes from Foley to St Cloud to minimize the detention time in the pipe and corrosion due to hydrogen sulfide gas and providing capacity beyond 20 years
- Using one lift station vs. two lift stations

The Facility Plan that SEH prepared for the Foley WWTF identified the most conservative approach to all of the alternatives, including the regionalization alternative, because it is at a planning level stage and more information is needed before decisions related to the items above can be determined. The Facility Plan sets the stage for funding and it is best to include all of the potential costs of the project in order to ensure that enough funding is available for the project and does not fall short of the actual costs. The preliminary design is where the potential cost saving design ideas can be evaluated and decided upon.

During preliminary design pipe alignments will be evaluated and soil borings and a topographic survey will be performed along the route to determine actual conditions. Only then should one look at the differences between one lift station vs two lift stations and one pipe vs two pipes because the length of pipe, depth of pipe,

and hydraulic conditions will dictate sizes of equipment and structures. It is SEH standard practice to evaluate these items during preliminary design to show the City the potential cost savings and the advantages and/or disadvantages of the options evaluated.

#### Costs

At the end of the presentation AE2S discussed project costs.

- During their discussion of potential cost savings AE2S inaccurately stated that 30% contingency was placed on the connection fee in the regionalization alternative. A 30% contingency was applied to the construction costs due to the uncertainties in the pipeline route and conditions, however, the connection fee was excluded from the calculation of the contingency for this alternative. The \$1,800,000 savings estimated by AE2S for removing the 30% contingency on the connection fee cannot be realized because there was not contingency applied to the connection fee in SEH's cost estimate.
- AE2S stated that solids removal from Golf Pond could be excluded from the cost estimate because it will be used as equalization. SEH included solids removal in the estimate because we want the costs to be conservative for funding purposes. The use of Golf Pond for equalization will be evaluated in the preliminary design stage. If for some reason it is determined that Golf Pond cannot be used as equalization or does not provide enough benefit as equalization, the pond will have to be decommissioned and the solids removed. Therefore, until the final decision to use Golf Pond as equalization is confirmed, SEH would recommend including the costs for solids removal.
- Lastly, AE2S implied that pipe costs in rural areas may be less than what is presented in the Facility Plan. SEH hopes that is the case, however, recent project bids indicate the cost of construction materials and labor are steadily increasing. Updated cost estimates will be provided during preliminary design and throughout all of the design stages to show the impacts of the evaluations performed and decisions made, but we recommend at these planning level estimates to maintain a level of conservatism.

We are excited to continue working with the City of Foley in improving your wastewater facilities, and working toward the construction of the forcemain connection to the City of St. Cloud. We also have funding specialists, and lobbyists that can provide assistance in selling the project at the state level and looking for funding sources (bonding bill and others) to help make this project a reality.

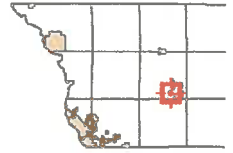
jah

c: Mark Pappenfus, City of Foley  
Jon Halter, SEH

p:\fj\foley\142860\4-prelim-dsgn-rpts\43-prelim-dsgn\council presentation\seh memo\_final2\_072919.docx

**Beacon**<sup>TM</sup>

Benton County, MN

**Overview****Legend**

- Parcels
- Highways
- County Roads
- Roads

Parcel ID 130069700  
Sec/Twp/Rng 34-037-029  
Property Address

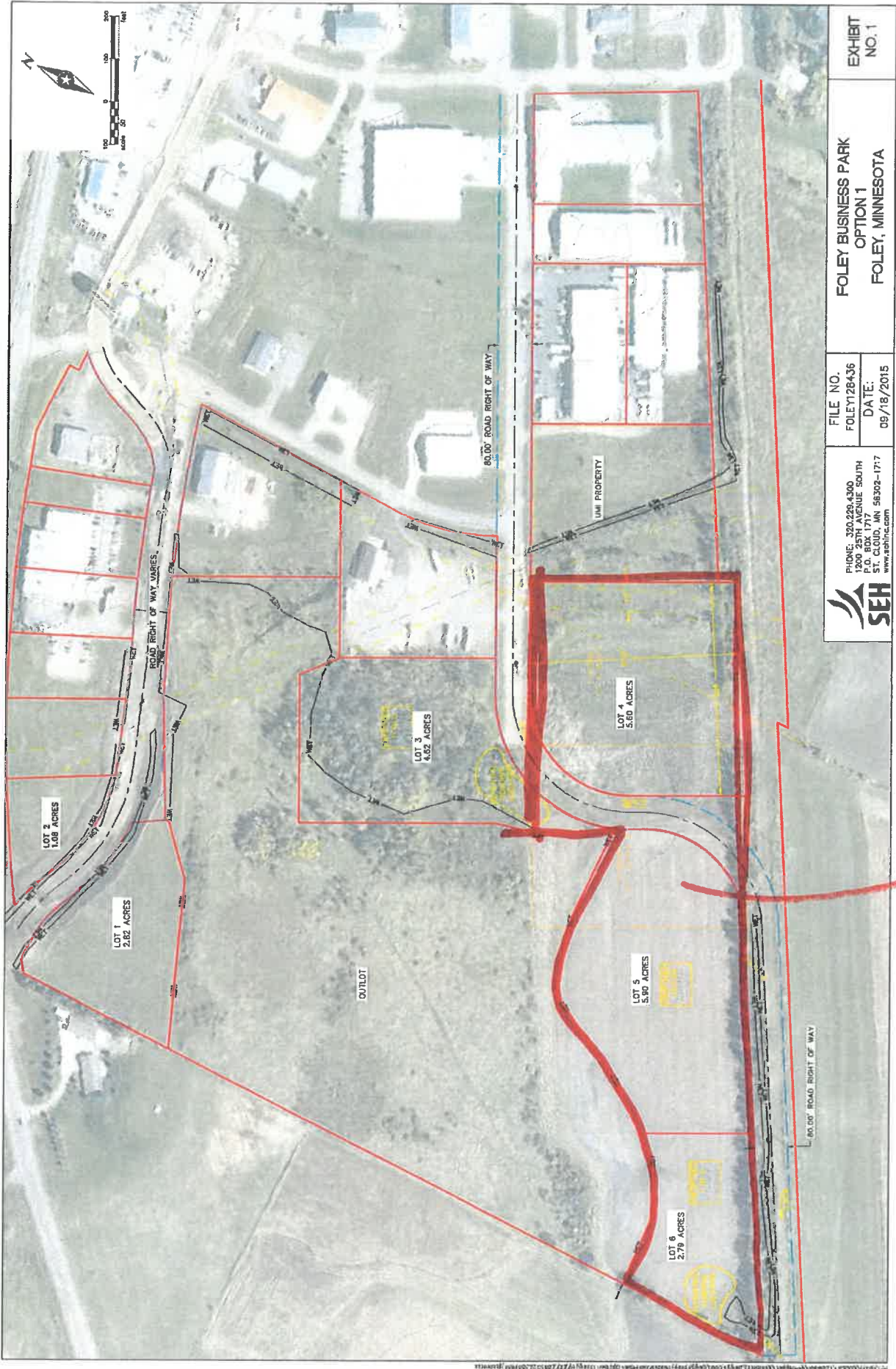
Alternate ID n/a  
Class 958 - MUNICIPAL PUB-OTHER  
Acreage n/a

Owner Address CITY OF FOLEY  
251 4TH AVEN  
PO BOX 709  
FOLEY, MN 56329

District FOLEY  
Brief Tax Description Sect-34 Twp-037 Range-029 FOLEY INDUSTRIAL PARK Lot-004 Block-005  
(Note: Not to be used on legal documents)

Date created: 8/1/2019  
Last Data Uploaded: 8/1/2019 6:47:27 AM

Developed by Schneider  
GEOSPATIAL



15.7 dev acres

**TO:** FOLEY CITY COUNCIL  
**FROM:** SARAH BRUNN, CITY ADMINISTRATOR  
**SUBJECT:** 08-06-19 COUNCIL MEETING  
**DATE:** AUGUST 2, 2019

---

### **Consent Agenda**

A resolution making a clarification on the conditional use permit of the Foley Nursing Center is included in your consent agenda. The Heritage properties recently sold (8/1/19) and with review of the title work there was an error in the stated number of beds on the conditional use permit that was issued in 2007. We confirmed the figure with the State of Minnesota and are providing the resolution to be adopted by the council and then recorded at the county.

The personnel committee has been working with staff on filling the vacant full-time police officer position left with the departure of Jason Abbott. Current part-time officer Bart Kothman has agreed to take the position. Mr. Kothman has been working part-time with our department since it started back up in 2012 and also was a part-time officer of the department in its operation prior to that.

A liability waiver form is included in your consent agenda. The city must elect each year when renewing our insurance not to waive the tort limits established by state statute. Our insurance provider and city staff recommend this action to control the exposure of the city with claims. Feel free to reach out to me should you have any questions.

### **Update on South Side Estates**

I've asked Ryan Schmit to attend our next council meeting to answer questions the council may have about his latest plans to put in modular homes in the south side estates addition. The ordinances appear to allow for this but I wanted to make sure the council was aware of this plan as it differs from stick-built homes we had discussed prior. I've attached some information on the company he's looking to purchase the units from. The houses would have full foundations and staff already has suggested adding a crawl space at a minimum.

### **Playground Equipment Purchase**

A quote is in your packet for the purchase of new playground equipment for Lion's Park. If you recall, the slide on existing equipment broke a couple years ago and we were unable to make repairs to the existing equipment. The new equipment was included in the CIP for this year. We will also include ADA paths as required by law with this replacement.

### **Update on Wastewater Facility Plan**

I have reached out to St. Cloud for another update on the connection fee and will forward any information I receive. I also have included a response in your packet from S.E.H. Wastewater Engineer Jessica Hedin. She was in attendance at the AE2S presentation.

### **Discussion on Industrial Park Land Sale**

The City has received an offer on the remaining buildable property the city owns in the industrial park. If the City proceeds with a sale of this property we will be out of buildable lots in the industrial park. The council needs to decide first if it desires to sell this property and if so, can close the meeting to discuss the price or if they desire any counter offer. Two maps are included in your packet, one of the lots as they currently exist in Beacon and would be sold. The other showing the wetland boundary so the council understand what is truly buildable with this property.

### **2020 Budget**

I am still working with department heads on compiling the budget information. I will be providing you with line items spreadsheets and the CIP either at the council meeting or shortly after. We will discuss the details at our workshop on the 20<sup>th</sup>.

### **Upcoming Reminders:**

- **August 20, 2019** – Council Meeting – Budget Workshop @ 5:30pm.
- **September 3, 2019** – Regular Council Meeting – Adoption of Preliminary Budget Levy.