

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – October 1, 2019

The Foley City Council held a regular meeting on October 1, 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 September 3, 2019.
- Accept resignation of Jennifer Simon from Foley Library Board.
- Approve part-time police officer eligibility list.
- Approve hiring of #1 on part-time police officer eligibility list.
- Accept resignation of Angie Milo, School Resource Officer.
- Approval final Safe Routes to School plan.
- Approve payment of bills paid for by checks #51599-#51662.

Motion carried, unanimous.

**Public Hearing – Dan & Tracy Hanes – 45 Hwy 23 West – Conditional Use Permit**

Mayor Bettendorf recessed the regular city council meeting at 5:32 p.m. to conduct the public hearing on a request for outdoor display and sales. Tracy Hanes, owner, was at the meeting requesting approval for the operation of their business. One written comment was received from Marilyn Thompson – 46 Monroe Street in favor of the application.

Mayor Bettendorf reconvened the regular city council meeting at 5:34 p.m. Motion by Swanson, seconded by Gondeck, to adopt Resolution #2019-13 Approving the Conditional Use Permit. Gondeck questioned the lighting which was confirmed by owner Hanes. Motion carried, unanimous.

Motion by Gondeck, seconded by Musachio, to approve the site plan for construction of a shed. Gondeck verified the 25-foot distance between house and trees which was confirmed by Hanes. Motion carried, unanimous.

**Blow Molded Specialties (UMI Real Estate, Inc.) – Site Plan Approval for Building Addition**

Staff indicated all conditions of the site plan have been met. Motion by Gondeck, seconded by Swanson, to approve the declaration of restriction. Motion carried, unanimous. Motion by Gondeck, seconded by Musachio, to approve the site plan. Motion carried, unanimous.

**Foley Legion – Discussion on Veteran’s Memorial**

Duane Walters, 7665 Ronneby Road, and Gary Gruba, 253 Birch Drive, were at the meeting representing the Foley Legion. The Foley Legion is looking to raise \$25,000-35,000 to install a veteran’s memorial. A couple locations and a concept were presented. Brosh asked if they would

consider school property. They indicated they will be attending an upcoming meeting with the school. Various properties were discussed including inside a future roundabout. There is a desire to stay on public land if possible. The needed size is approximately 25 feet by 25 feet. Staff and council will research any additional property ideas and let them know if the city has an options.

### **Discussion on 160 3<sup>rd</sup> Avenue W – Zoning for Daycare Operation**

There was discussion on a vacant building at the edge of the industrial park which has been vacant for a number of years. It is currently zoned I-2 (Industrial Park). It's an office building which may have some potential for a daycare center. Staff would only recommend a daycare center if it is re-zoned and then approved through a conditional use. April Carson (potential buyer - address unknown) indicated the facility could hold up to 70 children in the facility. Approximately 35 square feet is needed per child. Musachio expressed concern with a daycare operation in the industrial park. Swanson questioned the fencing that is required and if any work has been done with the building so far. There was discussion on details of the building and state requirements. There was also a discussion on needs for additional daycare in the city. The council indicated they are interested in learning more and directed the interested parties to submit an application for consideration by the planning commission.

### **Update/Discussion on Downtown Art Grant**

Jim Martinson, 18802 65<sup>th</sup> Street NE Foley, MN, was at the meeting to update the council on the downtown art project. Martinson gave an overview of the project of installing a mural on the Dombrovski building located on 4<sup>th</sup> Avenue. Pat Dombrovski, owner of the building, has indicated support for the project. The committee hired a grant writer which was funded through the chamber board. Martinson elaborated on the initiatives of downtown revitalization and reviewed the future funding requests that may be coming forward. Martinson asked the council if the project fits the downtown Foley vision? And also, what does the council need to endorse this project? Swanson and Musachio indicated support of moving the project forward.

### **Update/Discussion on Wastewater Project**

Staff updated the council on the wastewater project and presented the council with an RFP process for design services. Based on legal review, this process would keep the city eligible for federal EDA funding. Staff requested the council authorize the process and prepare for proposals to be received near the end of the month. Staff also requested a committee of council be established to assist in the review of proposals to keep the process moving in case interviews would need to be conducted. Motion by Gondeck, seconded by Swanson, to approve proposal. The council identified Gondeck and Musachio would serve on the committee. Brosh also expressed interest but gave first option to Musachio if available.

City Administrator Sarah Brunn also indicated she is working on arranging a meeting to discuss the option of running fiber along with the wastewater project.

Brunn also indicated that she has provided the council with contact info for our state reps. She strongly encourages the council to make connections now about our bonding bill request. Brosh reported his findings to the council on his contact made to members of the capital investment committee.

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

Mayor Bettendorf updated the council on a number of events coming up including walk to school day and the fire department open house.

## **Department Reports**

Police Chief Katie McMillin reviewed the monthly law enforcement report. McMillin and Sheriff Heck conducted a fraud class and they plan to offer it again in the future.

City Engineer Jon Halter updated the council on the alley project and indicated final paving will occur when rain stops. Gondeck questioned if final payment on Dewey was paid and it has not been paid as punch list items still remain.

Public Works Director Mark Pappenfus updated the council on the activities of the department including a leak detection that was done which showed no concerns. Pappenfus indicated two capital purchases are being made, within the budget for 2019. Pappenfus also indicated some information on the plow purchase will be coming the next meeting.

Fire Chief Mark Pappenfus gave an overview on many grants that have been received by the department to cover equipment purchases.

City Administrator Sarah Brunn updated the council upcoming events, special assessments and provided information on the building permit fees issues that has come about at the state level. Brunn indicated the City did complete their building permit fees reporting and anticipates no concerns.

## **Old Business**

### **New Business**

Chief McMillin provided an update from the personnel committee meeting regarding the school resource officer vacancy. The City and School District will seek internal applicants first to fill the position and if no applicant is agreed upon will move into advertisements. The council indicated a desire to make the job posting as soon as possible if not internal applicant is available.

## **Joint Meeting with Foley Library Board**

Attendees:

Foley City Council Members – Mayor Gerard Bettendorf, Jeff Gondeck, Rosalie Musachio, Gary Swanson, Jack Brosh

City of Foley Staff – Sarah Brunn (City Administrator)

Great River Regional Library Staff – Brandi Canter (Patron Services Supervisor), Karen Pundsack (Executive Director)

Benton County – Ed Popp (County Commissioner & Great River Board of Trustees)

Foley Library Board Members- Laura Olson, Dawn Magnuson

The joint meeting began with a summary of the prior meeting held on September 16<sup>th</sup> with representatives from all agencies. There was also an overview of information that was provided to those in attendance and listed above which included staffing and usage figures as well as some articles on libraries who have separated from a regional system. There was much discussion on library services, funding, staffing, role of the library board and communication between the different entities. It was determined until a clear resolution can be made on the communication difficulties between the library board and Great River there is not a desire to fill the vacant patron services coordinator position. The library board indicated a need to meet in the future as they have had a member resign and another member who has been inactive for quite some time. There was discussion that a shortage in members has made it difficult for the library board to establish a quorum and conduct a meeting. There was a suggestion on putting a councilmember on the library board. The council directed the

library board and Great River to work on communication to find some resolution with their differences.

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

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Sarah A. Brunn, Administrator