

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – December 3, 2019

The Foley City Council held a regular meeting on December 3, 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 Swanson, seconded by Gondeck, to approve the agenda. Motion carried, unanimous.

Gondeck requested the Bolton & Menk agreement be pulled from the consent agenda.

Consent Agenda

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

- Approve minutes of November 5, 2019.
- Accept resignation of firefighter, Jesse Bleed.
- Adopt Resolution #2019-18 Accepting Donations.
- Adopt Resolution #2019-20 Establishing Polling Place.
- Approve payment of bills paid for by checks #51740-#51814.

Motion carried, unanimous.

Gondeck requested approval of the Bolton & Menk agreement with two conditions: the city be added as an additional insured, and the city retains ownership of materials or work that was done in the event of a termination of the agreement. Motion by Swanson, seconded by Gondeck, to approve with the conditions. Motion carried, unanimous.

Public Hearing – ABC Academy/Frandsen Bank – Rezoning & Conditional Use Permit

Mayor Bettendorf recessed the regular city council meeting at 5:33 p.m. to conduct the public hearing for a rezoning and conditional use permit at 160 3rd Avenue W. No one spoke for or against.

Mayor Bettendorf reconvened the regular city council meeting at 5:34 p.m. Motion by Gondeck, seconded by Musachio, to adopt Resolution #2019-19 Approving Re-zoning and Issuing a Conditional Use Permit. Motion carried, unanimous.

Casey's Tobacco Violation

Mayor Bettendorf recessed the regular city council meeting at 5:35 p.m. to conduct a public hearing on the tobacco violation.

Jamie Stabb, Casey's Manager, 410 Hwy 23, gave an overview of the violation and policies changing as a result.

Mayor Bettendorf reconvened the meeting at 5:37 p.m. Motion by Gondeck, seconded by Swanson, to assess \$75 fine per state statute. Motion carried, unanimous.

Public Hearing – Fee Schedule

Mayor Bettendorf recessed the regular city council meeting at 5:38 p.m. to conduct public hearing on the fee schedule amendments. No one spoke. Mayor Bettendorf reconvened at 5:39 p.m. Motion by Gondeck, seconded by Swanson, to adopt Ordinances #447 and #448 with the fee schedule amendments for the water and sewer rates. Motion carried, unanimous.

Update on wastewater project

Brunn updated the council on the Bolton & Menk kickoff meeting. Brunn further reviewed an option of going back to the MPCA for a phosphorus limit in order to put the city in a position for more grant funding. The council directed staff to proceed with research into the new option and report back with more information. The council desired to learn more before committing to a new limit.

Open Forum

No one spoke.

Department Reports

Police Chief Katie McMillin reviewed the monthly law enforcement report and department activities. McMillin also updated the council on the numerous nuisance and ordinance complaints. The council had a discussion on nuisance complaints and how enforcement should be handled. The council directed staff to follow up with legal on the John Street violation. The council indicated a desire to continue with strict enforcement on all others and follow up with the council on any legal action that is needed if the issues are not resolved.

City Engineer Jon Halter had nothing new to report. There was discussion on the recent projects and punch list items. Halter indicated the project will be kept open for one more freeze-thaw cycle to ensure all items are completed.

Public Works Director Mark Pappenfus updated the council on the activities of the department including snow removal. Pappenfus also updated the council on the Highway 23 project scheduled for 2022. Pappenfus indicated some changes to the project with it expanding in scope and funding options. Pappenfus also discussed the possibility making some changes in the sewer options on the east side and making improvements now during the project. More information on these potential improvements will be coming at a later meeting.

Fire Chief Mark Pappenfus presented a response time change for the fire department increasing it from 5 minutes to 8 minutes based on years of experience. There was discussion on how far out this would be and impact on recruiting and retention. Motion by Gondeck, seconded by Musachio, to approve the response time policy as requested. Motion carried, unanimous.

City Administrator Sarah Brunn updated the council on the 2020 calendar, Highway 23 – 4 lane alignment, annual appointments, computer upgrades and invited the council to the chamber holiday party.

TNT Hearing – 2020 Budget

Mayor Bettendorf recessed the regular city council meeting at 6:18 p.m. to conduct the public hearing on the 2020 budget. No one spoke.

Mayor Bettendorf reconvened at 6:19 p.m. Motion by Musachio, seconded by Swanson, to adopt Resolution #2019-21 Adopting 2020 Budget.

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

_____ Sarah A. Brunn, Administrator