

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – January 5, 2021

The Foley City Council held a regular meeting on January 1, 2021, 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.

The newly elected council members signed the oath of office.

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

Consent Agenda

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

- Approve minutes of December 1, 2020.
- Adopt Resolution #2021-02 Accepting Donation.
- Accept resignation of part-time police officer Adam Goerger.
- Appoint Todd Foreman to Fire Lieutenant, January 1, 2021-December 31, 2023.
- Approve fire pay compensation clarification and changes.
- Approve payment of bills.

Discussion. Gondeck pointed out that the final payment to Robert McCoy is listed twice on the bills list. Sarah Brunn said it was a typo and would be corrected. Motion carried, unanimous.

Mayor congratulated the council members who were reelected: Gondeck, Brosh, and Mayor Bettendorf

2021 Annual Appointments

Discussion followed regarding annual appointments. Several council members expressed concern regarding the difficulty in finding residents who would be willing to serve. We are in need more members, especially on the Planning Commission. Sarah Brunn gave an overview on the steps the city has taken to let the public know and encourage participation on boards and Committees (e.g. advertising, social media...etc...). Brunn also expressed concern that part of the current difficulty was due to the pandemic.

Further discussion followed regarding the current makeup of the Planning Commission with two council members and two residents. Discussion followed. Council reached a decision to let Musachio's term on the Planning Commission expire leaving Gondeck and the two other members on the Planning Commission. Musachio could serve as an alternate if Gondeck could not attend meetings or even be officially reinstated to the commission if more members were added. Additional discussion followed regarding other appointments.

Motion by Swanson, seconded by Brosh, to approve the following appointments:

Board of Health (1-year term)

- Dr. Kevin Stiles – Health Officer
- Charlotte Monroe – Member
- Jeannie Rajkowski – Member

Library Board (3-year term):

- Dawn Magnuson

Economic Development Authority (4-year term)

- Jeremy Johnson

Motion carried, unanimous.

Public Hearing – Fee Schedule Ordinance – Sewer Rate Ordinance

At 5:40 p.m. Mayor Bettendorf recessed the regular meeting to conduct the public hearing on the proposed sewer rate, Ordinance #453.

No one spoke.

At 5:41 p.m. Mayor Bettendorf reconvened the regular council meeting.

Motion by Gondeck, seconded by Swanson, to adopt Ordinance #453 raising the sewer rate from .69 per 100 gallons to .76 per 100 gallons.

Discussion followed. Brosh asked why the minimum water bill was set at 7,000 gallons for usage. Brunn and Mark Pappenfus, Director of Public Works, explained this was set a long time ago before either of them worked for the city. Brunn further explained that this would be looked into in the upcoming rate study with the Minnesota Rural Water Association later this year. The information in the study will be used to help the city shift from a quarterly to a monthly water/sewer billing cycle. The council will be kept informed on the results of the study.

Motion carried, unanimous.

Public Hearing – Vacation of City Right-of-Way

Mayor Bettendorf recessed the regular meeting at 5:43 p.m. to conduct the Public Hearing on the Resolution #2021-01 Vacating City Right-of-Way.

No one spoke.

The regular meeting was reconvened at 5:44 p.m.

Motion by Gondeck, seconded by Musachio, to adopt Resolution #2021-01 Vacating City Right-of-Way. Motion carried, unanimous.

Motion by Gondeck, seconded by Musachio, to adopt the permanent easement agreement establishing a utility easement. Motion carried, unanimous.

Minor Subdivision Request – Resolution #2021-03 – Towne/Howard

Gondeck addressed the council stating the Planning Commission reviewed the request and saw no issues. Brunn explained she had been in communication with the township and that the township board would discuss further tonight at their meeting. Brunn informed the council she planned to attend the meeting.

Motion by Gondeck, seconded by Swanson to adopt Resolution #2021-03, Approving Minor Subdivision. Motion carried, unanimous.

Mayor's Comments & Open Forum

No one spoke.

Department Reports

Foley Police Department

Chief Katie McMillin gave an overview to the council regarding the December call report. The PD saw a total of 292 calls during the month. Thefts were up. Welfare checks, medical calls, and violation of city ordinances were up. Ordinances included sidewalk shoveling letters. For the entire year, the PD responded to 3,293 calls which was 199 more calls than the previous year – a 6.4% increase. McMillin stated that with the pandemic the officers were doing less traffic enforcement. If that had not been the case, she estimated the overall call volume would have been much higher. McMillin also reminded the council that interviews would be conducted for the part-time officer position on Jan. 11. She asked the council for a motion to give the contingent job offer to the top candidate right away to start the backgrounding process. Final approval would come back on February 2nd. Motion by Gondeck, seconded by Musachio to approve the request.

Discussion followed regarding officer list. Gondeck asked the PD to do more Toward Zero Deaths (TZD) hours as he felt it was good training for the officers.

Motion carried, unanimous.

McMillin shared one more interesting item with the council. She has recently assisted the FBI and investigators in Canada. Through their combined efforts, they were able to return \$16,000 to the victim who was a Foley resident. McMillin also shared that use of force training for the department would be held in January/February.

City Engineer

City Engineer, Jon Halter, gave an overview of the proposed 2022 Hwy 23 – Project Utilities/Eastview Lift Station Abandonment project. Halter explained that the best time to complete the work was during MNDOT's Hwy 23 project since the road would already be torn up and it would be easier to lay the new pipe. The project included the removal of the Eastview lift station and replace it with a gravity sewer. The gravity sewer would be less costly and easier to maintain. The project estimate is currently \$400,000. He asked the council to approve and authorize the initial design for the project. Discussion followed including the city ordinance that would require homes with so many feet of the new sewer stub currently using septic systems to connect to city water/sewer and under what circumstances this would occur. More discussion followed regarding the lift station. Pappenfus explained that the station

is currently 25 years old and would need to be upgraded in 10 years. This project would eliminate this expense and explained how the gravity system required minimal maintenance and was more reliable.

Motion by Gondeck, seconded Musachio, to authorize staff to move forward with the design of the utility improvement project.

Motion carried, unanimous.

Public Works and Fire Department

Mark Pappenfus gave an update to the council. Public Works is making ice for the skating rink and the warming house is open. A sign will be put up on the warming house to let residents know it is not being sanitized against the covid virus and they are using it at their own risk. The acquisition of the vacuum truck is proceeding. The city that is selling the truck signed for their new truck. Pappenfus estimates we could have the vacuum truck by mid-summer. Discussion turned to the lighting fixtures for the Hwy 23 project. Brunn and Pappenfus gave updated information that was received yesterday. Discussion followed regarding the light fixtures and whether or not the council wanted to go with the standard design or upgrade to the poles that would allow for light displays and flag/banner brackets.

Motion by Swanson, seconded by Musachio, to approve the upgraded lights and poles from the roundabout to Broadway Avenue. More discussion followed.

Gondeck, Musachio, and Swanson voted aye.

Bettendorf and Brosh voted nay.

Motion carried.

Mayor Bettendorf thanked the Fire Department for the Dec. 23 fire truck parade. Pappenfus told the council that the department enjoyed it and is looking into possibly expanding it for next year. Pappenfus also informed the council that the department was thankful for the donation of pizza received after the parade.

Pappenfus also informed the council that a new FEMA grant became available for new gear. The department would apply for the grant to upgrade air compression and storage cylinders. If awarded, the city would be responsible for 5% of the cost. The department applied for the same grant last year but did not get it. Pappenfus would bring more details to the council at the next meeting.

Administration

Sarah Brunn presented an amendment to the 2021 budget from a 2008 project that would assure the city was charging funds accordingly. Brunn explained that actual costs charged to the enterprise fund were never calculated on this old bond and the need to make sure the enterprise fund is appropriately charged. Amendment would account for \$40,000 for sewer funds by shifting money out of the enterprise funds to pay for sewer expenses and charging the tax levy less to make the bond payment. Brunn recommended to the council to approve the budget amendment.

Motion by Swanson, seconded by Musachio, to approve the budget amendment. Motion carried, unanimous.

Sarah also informed the council that the Benton County Economic Partnership had approved another business program to provide covid relief funds of \$787,000 to be made available to tier one businesses (hospitality industry) directly affected by the latest order. The city would share the information on social media. If money is left over after the first tier, a second tier would be opened to help non-profits. Applications are due Jan. 29.

Old Business

Brunn gave an update on the wastewater project. Staff is meeting tomorrow with the City of St. Cloud for an update on our connection status. Staff had also received more information on changes proposed to the agreement. Will also discuss metering with St. Cloud to make sure the design is moving in the right direction. Staff also turned in applications for funding.

Brunn also gave an update on the Orderly Annexation agreement with Gilmanton Township. No decision at this time from the township. Brunn informed the council she would be attending the board meeting after the city council meeting. Discussion followed.

New Business

Discussion on purchase of PID 020049300 & PID 020050000.

At 6:33 p.m. Mayor Bettendorf closed the meeting per Minn. Stat. 13D.05 Subd. 3(c) 13D.05 – for discussion on potential land price of PID 020049300 & PID 020050000.

At 6:40 p.m. the meeting reconvened.

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

Meeting adjourned.



Sarah A. Brunn, Administrator