

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – March 2, 2021

The Foley City Council held a regular meeting on March 2, 2021, at 5:30 p.m. at the Foley City Hall.

Members Present: Mayor Gerard Bettendorf, Councilmembers Jeff Gondeck, Rosalie Musachio, Jack Brosh, and Gary Swanson.

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

- Approve minutes of February 2, 2021.
- Approve Municipal Maintenance Agreement with Benton County.
- Adopt Resolution #2021 – 05 Supporting Infrastructure Accountability.
- Adopt Resolution #2021-04 Approve 2020 Transfers.
- Adopt Resolution #2021-06 Accepting Donation.
- Adopt Resolution #2021-07 Application to PFA.
- Appoint Deb Mathiowetz to the Planning Commission
- Approve payment of bills.

Motion carried, unanimous.

Benton County Commissioner – Scott Johnson

Benton County Commissioner Scott Johnson addressed the city council and publically thanked the city and staff for inviting him to the Orderly Annexation Informational meeting on Feb. 23. The meeting was open to the public and well attended by residents of Gilmanton Township.

Discussion on Orderly Annexation Agreement

City Administrator, Sarah Brunn, gave a brief update on the Orderly Annexation Agreement with the township. The most recent proposed changes to the agreement were discussed at the informational meeting on Feb. 23. City Engineer Jon Halter shared a map that shared the proposed solar garden buffer. The buffer separates the solar installations from the right-of-way by 500 feet. Other recent changes included county standards that would better align the agreement with the county code. The agreement with the newest round of changes was sent to the township for comment, but the city has not received word from them yet.

Motion by Gondeck, seconded by Swanson, to adopt the revised Orderly Annexation Agreement as presented. Motion carried, unanimous.

Foley Fun Days – Juanita Beauchamp – Request use of streets for June 21-23, 2021

Juanita Beauchamp addressed the council. She thanked the council and city hall staff for their support of Foley Fun Days. She assured the council that the Fun Days committee planned to follow any protocols enacted by the governor that would be enforce during the event dates. Beauchamp requested the use of city streets for Foley Fun Days scheduled for June 21-23, 2021.

Motion by Swanson, seconded by Gondeck, to grant the request for the use of city streets during Foley Fun Days 2021. Motion carried, unanimous.

Public Hearing – Zoning Ordinance Amendment – Menu Board Signs

At 5:37 p.m. the regular meeting was suspended for the public hearing for the proposed zoning ordinance amendment regarding menu boards.

No one spoke.

At 5:38 p.m. the regular meeting was reconvened.

Motion by Gondeck, seconded by Swanson, to adopt Ordinance #454 Amending the Zoning Ordinance Relating to Menu Board Signs.

Musachio asked if the Planning Commission had approved the amendment. Gondeck said yes.

Motion carried, unanimous.

Mayor's Comments and Open Forum

No one spoke.

Department Reports

Police Department

Police Chief Katie McMillin gave the council a brief update regarding the February crime stat report. There were a total of 257 calls for assistance for the month – medical assistance calls and gas drive offs were up.

City Engineer

City Engineer Jon Halter gave an update of the MNDot Hwy 23 project, specifically the water/sewer design for the water crossing under the roundabout.

MNDot needs to make additional utility improvements to the project. The city has an existing sewer and water crossing through the intersection in a casing pipe. This will need to be rerouted east and back to the west so it goes around the roundabout instead of through it. The estimated cost to the city is \$207,000.

MNDot also requested the city move the existing storm sewer on the north side of the roundabout under the proposed curb and gutter 10-15 feet to the north. MNDot says they need the room for their proposed improvements. The benefit to the city is that if we needed to do maintenance to our sewer, we could reach it without cutting into Hwy 23. The estimated cost to the city for this project is \$120,000.

Discussions and questions followed. Halter explained that the storm sewer is an outfall pipe from the schools ponds. It is largely used for the school district for water discharge but is owned by the city. It is possible that the school district might be willing to help with the relocation cost. Halter also shared that they are discussing with MNDot the possibility of leaving the casing pipe given that it is relatively new (2008). The city can submit an exception letter to ask for a variance. It will take a couple weeks to get a resolution. Halter continued by giving an overview of the stages of the project. The first stage would

begin once school is out for the summer and would last into the fall. He would keep the council updated on the state of the requested variance.

Public Works and Fire Department

Public Works Director and Fire Chief Mark Pappenfus updated the council. Public Works is working toward opening the pool this year unless restrictions change due to covid concerns. Our same pool manager from two years ago plans to return as well as the assistant pool manager. Pool opening is planned for early June. The maintenance to the pool's coping is planned for early May. Questions and discussion followed. Pappenfus also shared the city park shelters were available for reservations and that the new play structure for Holdridge Park has arrived and will be installed in May. Discussion followed regarding concerns of vandalism to the bathrooms in previous years. Pappenfus said more discussions would be needed prior to opening the bathrooms to the public.

Administration

City Administrator Sarah Brunn updated the council on several items. Two proposals for compensation studies were in the council's packet. Staff recommended accepting the proposal from Paul Ness. Brunn reminded the council the city had not done a comp study in more than 20 years. The study would allow the city to remain competitive with the market and make sure job descriptions are compliant. The goal of the study is to continue to attract and retain the best people possible. Discussion followed.

Motion by Gondeck, seconded by Musachio, to proceed/accept the proposal from Paul Ness. Motion carried, unanimous.

Brunn reviewed the current meeting room rental policy which allows meetings that the city is directly involved in. She informed the council that staff had reviewed the current covid numbers and was comfortable with opening the council room to additional meeting rentals with a \$25 cleaning fee in addition to the rental fee of \$50 when applicable. Brunn asked if the council was comfortable with opening up the meeting room for outside rentals. Room capacity would be capped at 35 people. The council agreed to allow staff more discretion in room rentals.

Brunn also informed the council the yearly audit was scheduled for the second week in April. She reminded the council they may be personally contacted by the auditors by phone or email.

In agreement with the county assessor's office, the open book meeting would be held on April 20. There would be an option for residents to schedule an appointment with the county assessor as part of the Board of Equalization process.

Old Business

Brunn provided an update to the council on the wastewater project. Staff is meeting with the Rural Water to discuss the rate study. Staff will also meet tomorrow with St. Cloud and the city engineers. They are still finalizing route and pumping amounts. Plans will be submitted the end of March. Brunn also addressed the question regarding PSIG funds, "How do we fund the project if PSIG is not available?" We will not know about available PSIG funds until this summer. According to the PFA and city engineers the option open to the city would be to issue a temporary debt service to bridge the gap until the funding comes through. It is very common for cities to do this.

New Business

Discussion on purchase request of PID 130007602

Brunn presented a request to the council the city had received to purchase land PID 130007602. Discussion followed. The council was in agreement that with the wastewater project currently taking a priority it was not the right time to sell this piece of land.

Discussion on purchase of PID 020049300 & PID 020050000.

At 6:07 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 6:17 p.m. the meeting reconvened. Staff was directed to continue discussions.

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

Meeting adjourned.



Sarah A. Brunn, Administrator