

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – August 3, 2021

The Foley City Council held its regular meeting on August 3, 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.

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

**Consent Agenda**

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

- Approve minutes of July 13, 2021.
- Adopt Resolution #2021-16 Foley Wrestling Club Premises Permit.
- Approve liability waiver for insurance renewal.
- Approve payment of bills.

**Paul Ness – Compensation Study – Market Analysis**

Paul Ness gave an overview of his compensation study and market analysis to the council. He is still going through job descriptions. He will continue to work with staff to help with the job descriptions and documentation. Ness highlighted a few things in the full report. Employees should be given an acknowledgement form when given the adjusted job descriptions. He recommends changes to the emergency management position. To be consistent, the ordinance outlining the duties of the administrator and clerk should be combined. The next phase is job evaluation – this refers to the difficulty and complexity of the job, not the person in the role or their performance. Ness recommended this should be reevaluated and see how it fits with the pay structure by grouping the jobs into pay groupings. Pay equity laws will need to be followed during this step.

Overall, Ness said that market analysis showed the city offered strong pay levels for a small employer, but needed to be more competitive with pay grades. He highlighted in the report the more dramatic changes and stretched out a couple higher pay grades. He recommended a higher minimum pay, especially for the police department. This will be approached differently (union vs. non-union) due to the bargaining agreement with the union. Questions from the council and discussion followed.

Ness explained that the cost of living and structural adjustments were recommended for next year. He compared Foley to other neighboring cities. He recommended a 3% Cost of Living Adjustment (COLA) for the 2022 budget, but it was up to the council.

City Administrator Sarah Brunn explained to the council that after hearing the presentation if they would like to move forward with the recommendations for the new step structure staff she can build it into the new 2022 budget. She also told the council that she had anticipated a 3% increase based on the higher-than-normal inflation levels. The cost to implement the changes would add an additional \$11,000 to the budget than what employees are on track to receive for non-union employees. She recommended to the council to adopt the new structure and work out the COLA during the budget process. Discussion followed.

Motion from Mayor Bettendorf, seconded by Musachio, to move forward with the recommended step structure changes for the 2022 budget for non-union employees.

Motion carried, unanimous.

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

No one spoke.

### **Departmental Reports**

Mayor Bettendorf stated he would like to keep the Parking & Storage Ordinance discussion tabled (originally tabled last month) until January or February of 2022 given the fact that the city has a lot of other projects and priorities at the moment. The city will keep the Ordinance on file, but will not enforce at this time.

### **City Engineer**

Jon Halter gave a brief update on the work being done outside the Police Department's garage to fix the problem with the cement. The project is on hold until they are able to schedule the cement contractor.

### **Public Works and Fire Department**

Mark Pappenfus gave a brief overview to the council regarding the Hwy 23 project. The final plan is about 90% done. He also updated the council on the current water situation during the ongoing drought. He is watching the wells and working on cutting water usage. Residents have been asked to voluntarily conserve water. The Department of Natural Resources (DNR) says the city can't be more than 50% of our January flow. Wells are holding up for now. Nothing to worry about for now so water conservation efforts will be kept voluntary.

Pappenfus also shared with the council that the last day for the Foley Pool to be open will be Aug. 20. Staffing shortages will prevent the city from keeping the pool open after that date.

### **Administration**

Sarah Brunn updated the council on the state of the budget for 2022. Budget packets will be out this week or early next. The Budget Workshop is scheduled for Aug. 17.

Brunn also asked the council for direction on masking indoors. It is currently not required by the state, but some places are returning to wearing masks indoors.

Mayor Bettendorf expressed his opinion that as long as it is not mandated by the state the city should not enforce it. Leave it up to the individual. The other council members expressed agreement on not changing mask policy at this time.

### **Police Department**

Acting Chief Bart Kothman gave the council an update on calls for July. Numbers were down for the month for a total of 271. The department was investigating some bigger cases. The department also experienced some computer issues that were affecting the entire county. The issue was corrected. The department is reviewing six applications to fill two part-time positions. A possible full-time officer may be leaving. Kothman will know more by the end of August or early September. There is an officer currently part time who could be moved to full time if needed.

## **Old Business**

Brunn gave an overview of the wastewater/fiber project. The council considered approval of the fiber agreement with Benton County. Brunn explained there had been a lot of back and forth with the county (multiple drafts). The big items at issue were the reimbursement for the redesign costs and how we will build out Foley. How are we going to ensure equal access to the city/county right-of-way? This was resolved through the permitting process between the city and the county. We also agreed that the county will reimburse up to \$45,000 or the project won't move forward.

Brunn also shared a map that showed the areas that the city had prioritized, explaining how staff really wanted to target those areas for fiber service. The county has proposed \$175,000 to assist with the build out, and then staff will work with a provider to get it done. Staff believes we have a good chance of getting service with what the county is proposing. The county did not act on the agreement today. Discussion followed.

Brunn reminded the council that staff is down to an extremely limited timeframe. The original request from the council was that the county would present an agreement to the council tonight. If we abandon the timeline, it will cost time and money to make it work. Brunn recommended the council we give the county a very short window of time to work out the final details. We've made some good strides to make sure the city benefits. The city does not want to be a fiber provider.

Musachio expressed concern that no build out plan has been presented from the county. No guarantee Foley residents and businesses will be a priority to get high speed internet.

Discussion followed with the council weighing the option of giving the county more time to finalize an agreement that would be acceptable.

Brunn stated that the latest discussion with engineers have plans wrapping up in August and recommended a deadline of August 17 to sign the fiber agreement.

Gondeck expressed that he would like to see more of a spirit of cooperation from the county.

Motion by Mayor Bettendorf, seconded by Brosh, to approve the fiber agreement with changes and send it back to the county with a deadline of Aug. 17 to approve.

Brunn stated that if there is no agreement by Aug. 17, the city will move forward with an alternative.

Motion passed 4-1 with Gondeck, Bettendorf, Swanson, and Brosh voting Aye.  
Musachio voted Nay.

Brunn gave a brief update on the wastewater project. We have a route. Staff has a meeting with the city of St. Cloud tomorrow. We have a wastewater agreement signed with St. Cloud. Pappenfus added that staff is working out the details on the right-of-way and the county permits.

## **New Business**

There was no new business.

Motion by Gondeck, seconded to Swanson, to adjourn.

Motion carried, unanimous.

Meeting adjourned at 6:28 p.m.

A handwritten signature in cursive script that reads "Sarah A. Brunn".

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Sarah A. Brunn, Administrator