



**City Council – Meeting Agenda
July 12, 2022 – 5:30 P.M. – Foley City Hall**

1. Call the meeting to order.
2. Pledge of Allegiance.
3. Approve the agenda.
4. Consent Agenda:
 - Approve minutes of June 7, 2022.
 - Adopt Proclamation for Pregnancy and Infant Loss Remembrance Day.
 - Approve school resource officer agreement with Foley Public Schools.
 - Approve tobacco license for Dollar General.
 - Approve payment of bills.
5. Public Hearing – Danny B’s On Sale Wine/Beer License.
 - Consider approval of on-sale wine/beer license – effective through June 30, 2023.
6. Wastewater Regionalization Project – Bolton & Menk
 - Consider approval of Pay Application Request #1 – Jared Voge.
 - Update on loan agreement. (This item still in progress)
 - Consider approval of Resolution #2022-18 Committing to rate increase (revised with new loan amount provided in amortization)
7. Discussion on gambling premises permit for Stone Creek Golf Course.
 - Consider Adoption of Resolution #2022-19 Approving Premises Permit
8. Foley Economic Development Committee (Thriving Communities Initiative)
 - Presentation on Downtown Survey Results.
 - Consider Downtown Façade Grant Program (For 2023 Budget)
9. Discussion on removing sprinkler sewer charge – Section 610 Sewer Charges.
 - Discuss potential ordinance revisions.
10. Discussion on parking & storage ordinance revisions.
11. Mayor’s Comments & Open Forum
12. Department Reports:
 - Police Department –Katie McMillin
 - Consider policing contract for Benton County Fair coverage.
 - City Attorney – Adam Ripple/Ashley Bukowski



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- City Engineer – Jarod Griffith
 - Update on Highway 23 Project
 - Update on Change Order #2.
 - Update on Reduction of Work Compensation.
- Public Works/Fire – Mark Pappenfus
- Administration – Sarah Brunn
 - Discussion on 2023 Budget – sewer rate structure changes.
 - Update on 45 Highway 23 West – Conditional Use Permit.

13. Old Business

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14. New Business

- Discussion on pool “no refund” policy.

15. Close the meeting per Minn. Stat. 13D.05 Subd. 3(c) 13D.05 – discussion on option agreement price of PID 020049300 & PID 020050000.

16. Adjourn

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – June 7, 2022

The Foley City Council held a special council meeting on June 7, 2022, at 5:30 p.m. at the Foley City Hall.

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

Members Absent: None

The pledge of allegiance was recited.

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

Motion carried, unanimous.

Motion by Gondeck, seconded by Bettendorf, to approve the consent agenda

Musachio asked if we were approving the Juneteenth holiday for non-union employees in the consent agenda.

Sarah Brunn, city administrator, explained that the holiday was already in the contract for the union employees.

Consent Agenda:

- Approve minutes of May 3, 2022.
- Approve minutes of May 20, 2022.
- Adopt Resolution #2022-17 Appointing Election Judges.
- Approve hiring of seasonal employees for public works and pool.
- Approve use of streets by Foley Civic Group for Foley Fun Days 2022.
- Approve appointment of Jonathan Brenny to Planning Commission and EDA.
- Approve appointment of Mayor Gerard Bettendorf to EDA.
- Approve hiring of Jason Norten, part-time police officer, contingent on background.
- Approve updated police policies, Confidential Informants Policy.
- Approve updated Emergency Operations Plan – required bi-annual review.
- Accept resignation of part-time police officer Cory Slipka.
- Approve union contract thru December 31, 2024.
- Approve increase in part-time police officer wage to PG 6 Minimum (Currently \$23.39/hr.) effective June 12, 2022.
- Approve adding Juneteenth as floating holiday for non-union employees.
- Approve payment of bills.

Motion carried, unanimous.

Public Hearing – Liquor License Renewals

At 5:32 p.m, Mayor Bettendorf recessed the regular council meeting to conduct a public hearing on liquor licenses.

No one spoke.

Bettendorf reconvened the regular council meeting at 5:33 p.m.

Motion by Swanson, seconded by Gondeck, to approve the liquor licenses for 2022:

- On Sale Liquor: Mr. Jim's, Foley American Legion, and Stone Creek
- Sunday On Sale Liquor: Mr. Jim's, Foley American Legion, and Stone Creek
- Off Sale Liquor: Coborn's Liquor, Foley American Legion, and Super Spirits
- 3.2 Off Sale: Coborn's Inc, Little Dukes
- Non-enclosed Premises On Sale Liquor: Foley American Legion, Stone Creek and Mr. Jim's
- Temporary Liquor Licenses:
 - Foley Lion's Club – to be used for Foley Fun Days, June 20-22, 2022
 - St. John's Church, 621 Dewey Street, to be used July 17, 2022
 - Foley Chamber of Commerce, 329 Oak Drive, to be used for Oktoberfest on Sept. 17, 2022

Motion carried, unanimous.

Approve Tobacco Licenses

Bettendorf asked for a motion to approve the tobacco licenses.

Motion by Gondeck, seconded by Swanson to approve the Tobacco licenses.

- Brenny Oil
- Casey's Retail Co #1813
- Coborn's Liquor
- Coborn's Grocery Store
- Little Dukes
- Speedway
- Super Spirits
- J-Mart

Gondeck asked Brunn if staff ever heard from Dollar General regarding their tobacco renewal. Brunn confirmed that staff did not hear back from them after several attempts.

Motion carried, unanimous.

Consider closing of 7th Avenue for Foley Fun Days Car Show on June 21, 2022, Foley Fun Days

Jennifer Siemers, 69 Lone Ridge Lane, addressed the council and asked for approval to close 7th Avenue between Dewey and John Street in case there is overflow from the car show. Every year the show has gotten a little bigger and needs more parking for cars. Discussion and questions followed.

Motion by Gondeck, seconded by Swanson, to approve closing of 7th Avenue between Dewey and John Street between the hours of 4 p.m. and 8 p.m. on June 21 for the Foley Fun Days Car Show.

Motion carried, unanimous.

2021 Audit Report – Schlenner & Wenner

Ashley Meagher from Schlenner & Wenner gave an overview of the audit report for 2021 to the council. Overall, the audit went smoothly and there is a good working relationship with staff. Nothing unusual in the transaction review. The only significant estimates are those related to net pension asset and liability the same as in previous years and is recorded by every government entity in the state. There was only one proposed audit adjustment under control and compliance. She also noted a lack of segregation of duties which is common in a small city.

Meagher provided a more detailed overview of the numbers by referring to the report in the council's packet. The general fund increased overall. She noted a \$340,000 transfer out that was budgeted for. Revenues for the general funds were similar to the previous year and saw an increase of \$53,000. There was a major change of the inter-governmental state funds with \$47,000 in small cities assistance. Expenditures of the general fund saw an increase of \$7,600 in capital outlay. A lot of the outlay was reimbursed by CARE Act dollars. In the unassigned fund balance, the spendable portion of your spend balance of the general fund is a measure that each city uses of how the spendable portion was up 167%. This was a slight decrease but nothing concerning. Cash for the general fund increased by \$178,000. A note of \$146,000 of cash is from the American Rescue Fund. This money has not been spent yet. The city's remaining government funds are noted. The Fire Fund increased by \$188,000. Equipment purchases in 2021 – capital purchases of equipment. The intention is the fund builds up over time and then is spent. No significant changes. Cash for those funds on a whole increased \$65,000 over the last year. We had a reclassification of a fund to debt service so that fluctuates the cash between those two bonds.

Proprietary Funds – Water funds increased by \$219,000 with an overall decrease in expenses. Similar activity from year to year. Sewer funds saw an overall increase of \$320,000. There was a decrease in expenses due to wastewater expenses. We don't consider those assets of the city. There was an overall increase in revenues as well as there. Cash for those two funds are \$4.6 million with decreasing sewer funds and increasing of the water funds. Assets of \$549,000 - increased with capital purchases and pension assets increased by \$163,000. Overall, liabilities decreased. Long term debt of the city has increased.

Discussion and questions followed.

Motion by Swanson, seconded by Gondeck, to accept the auditor's report.

Motion carried, unanimous.

Discussion on removing the sprinkler sewer charge

Brunn explained how Public Works identified which properties currently have sprinklers. Staff compared their winter to summer usage and looked at other data to determine an average monthly use, assuming four months out of the year will include lawn sprinklers. Staff is trying to get a rough idea of the sprinkler costs assuming all the people currently on the list would want to install a separate meter. A lot will also depend on the weather and how much they will need to water their yard. There are most

likely more sprinkler properties out there than currently listed. Current estimates on lost revenue are projected to be \$21,000. Discussion and questions followed.

Bettendorf said that the concern he had was the impact on the city's sewer revenues if the sewer charges are waved or reduced. It could mean the city would need to bump the water rates to cover for that loss.

Musachio stated that water conservation is important. It's expensive water to put on the ground. She also expressed support for rain barrel systems.

Brosh disagreed saying that the revenue lost wouldn't have that much of an impact and doubted there would be a line of people opting to hook up their sprinklers to a separate meter.

Swanson agreed stating he didn't think it would a significant impact on revenues.

Brunn stressed that the estimated \$21,000 amount are what the sprinklers are currently being charged. If you remove that revenue, it would need to be made up somewhere. She reminded the council that revenue is still needed to pay for the debt service and annual operating costs.

Gondeck stated that he believed there are other alternatives to using treated water for grass. He also expressed concern over the potential loss of revenue. He recommended finding a half way approach.

Discussion followed.

Motion by Brosh, seconded by Gondeck, to table the discussion until the July meeting.

Motion carried with Gondeck, Bettendorf, Brosh and Swanson voting 'Aye' and Musachio voting 'Nay.'

Brunn recommended that if the council decided to move forward with a sprinkler option that a solid policy of what would be allowed/not allowed would need to be developed.

Downtown Parking – Jason Hurst

Hurst was not present.

Mayor's Open Forum

Deb Olson, 600 Dewey Street, expressed concern regarding the parking and foot traffic during the car show.

Department Reports

Police Department

Chief Katie McMillin gave an overview of crime stats for the month of May. There were 381 calls for service – driving conduct was busy due to the temporary stop signs in the construction area; tall grass letters were sent out; and miscellaneous calls for assistance to other agencies is up. The Bike Rodeo is scheduled for June 18 from 10 a.m. – 1 p.m. There are 75 kids registered for the event. July 7 is the

root beer social at city hall. She is also working on a background check for a new hire. Discussion and questions followed.

City Attorney

Ashely Bukowski from Rinke Noonan introduced herself to the council. She will be sitting in to discuss a potential real estate contract later on the agenda.

City Engineer

Jarod Griffith gave updates on several projects. The engineers have completed the wetlands delineation report for the industrial park. It hasn't been submitted to the county yet, but will be after the discussion later in the meeting. The area of concern has been reduced. Staff will need to mitigate for the construction project at the cost of \$187,000. It is possible to reduce this area in the future with the addition of wetland banks in the area. This is something that will be discussed later in the meeting. Discussion and questions followed.

Brunn explained that the city does have an option agreement on the property and it is something that can be discussed regarding the agreement price in a closed session.

Griffith also gave an update on the Hwy 23 project. Staff submitted the change order that reduced the sanitary portion sewer. The contractor has requested compensation for the altered bid due to the change in the work. What they submitted was rejected by MNDot. After the contractor provides the proper documents, the engineers will review with staff. We've looked at their reasoning for their increase based on their unit price. Nothing yet has been submitted at this time. We just wanted to make you aware of the potential cost increase. There is no action needed at this time.

Brunn added that staff has been consulting with the city attorney to see if there are other options. We still have to get an official accepted proposal that MNDot has yet to receive. We did enter a contract when we signed the MNDot agreement. We submitted a change order because of the significant increase in cost. We reviewed and approved the initial estimate. Discussion and questions followed.

Public Works and Fire Department

Mark Pappenfus directed the council to their packets regarding the CIP item for purchase, a used street sweeper. The maintenance required on the current sweeper is no longer feasible. This used sweeper has been traded in and if we're interested in purchasing it we will need to move quickly. Discussion and questions followed.

Motion by Brosh, seconded by Gondeck, to approve buying the new sweeper and trading in the old one.

Motion carried, unanimous.

Pappenfus gave an overview of other projects. The park shelters are open and the pool opens tomorrow. We're getting ready for Fun Days.

Discussion and questions regarding the open hours of the compost site and the availability of staff to extend the open hours. Pappenfus added that there is money in the budget to install an automatic gate at some point.

Administration

Sarah Brunn gave an overview to the council. Election Day judges are approved and scheduled for training. The pool opens tomorrow and we're looking good on staffing. There will be some minor adjustments to the schedule this weekend due to swimming instructor training. The pool manager is Emma Brenny. Water shut offs for delinquency are also tomorrow.

Old Business

Brunn gave an overview of the wastewater project. We have an updated connection fee. What this means is we have a connection date now identified in 2023- later than the first estimate. We had to update the fees and we had to pay some of the fixed debt service upfront. The additional is regarding indexing. There's a portion that's fixed debt and then indexing is a calculation of inflation that added additional fees into the pool capacity. Not much we can do about the cost. It is calculated on the actual date we connect. Questions and discussion followed.

New Business

No new business.

Discussion on Option Agreement Price

Bettendorf closed the meeting at 7:00 p.m. to discuss the option agreement price on PID 020049300 & PID 020050000.

The regular council meeting was reconvened at 7:12 p.m.

The council directed staff to meet with the party and report back.

Motion by Musachio, seconded by Gondeck, to adjourn.

Motion carried, unanimous.

Meeting adjourned at 7:12 p.m.

Sarah A. Brunn, Administrator
(Minutes By: Sara- Judson Brown, Administrative Assistant)

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

A PROCLAMATION RECOGNIZING NATIONAL
PREGNANCY AND INFANT LOSS REMEMBRANCE DAY

WHEREAS, Infants Remembered In Silence, Inc. (IRIS) and many other nonprofit organizations work with thousands of parents all over Minnesota and across the United States who have experienced the death of a child during pregnancy through early childhood; and

WHEREAS, Many of these parents live in, deliver in, have a child die in, or a bury a child in our community; and

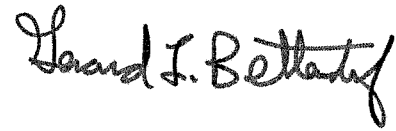
WHEREAS, Infants Remembered In Silence (IRIS) a 501(c)(3) nonprofit organization was founded 1987, 33 years ago, to offer support for parents whose child/children died from miscarriage, ectopic pregnancy, molar pregnancy, stillbirth, neo-natal death, birth defects, sudden unexplained death of a child (SUDC), sudden infant death syndrome (SIDS), illness, accidents, and all other types of infants and early childhood death; and

WHEREAS, Bereaved parents around the world remember their children annually on October 15 with candle lighting at 7 pm. Some will remember their child/children in their homes while others will remember them in small gatherings around the state, across the nation and around the world; and this would unify these parents in tribute to their children; and

WHEREAS, In 1988, President Ronald Reagan proclaimed October as National Pregnancy and Infant Loss Awareness month; and

WHEREAS, In honor of the thousands of children that die each year in Minnesota, Infants Remembered In Silence, Inc. (IRIS) respectfully requests that October 15th, 2020 be recognized as Pregnancy and Infant Loss Remembrance Day.

NOW, THEREFORE, I, Gerard Bettendorf do hereby recognize October 15th, 2020, as
Pregnancy and Infant Loss Remembrance Day, and I call this observance to the attention of all of
our citizens.

A handwritten signature in black ink, reading "Gerard L. Bettendorf". The signature is written in a cursive style with a large, stylized "G" and "B".

Gerard L. Bettendorf, Mayor

UNAPPROVED Minutes of Regular Board Meeting
The Board of Education
Foley ISD 51
Date: 6/27/2022

The regular meeting of the Board of Education, Independent District No. 51, Foley, Minnesota, was called to order by Chair Nathan Anderson at 6:00 pm, Monday, 6/27/2022, at the Foley Intermediate School Media Center. The Pledge of Allegiance was recited.

Board members present: Sharon Kipka, Becky Howard, Patric Lewandowski, Ken Anderson, Emily Lachinski, Nathan Anderson and Stephanie Rudnitski

Board member absent:

Others present: Paul Neubauer, Karri Thorsten, Kelly Gorecki

OPEN FORUM FOR CITIZENS TO ADDRESS THE SCHOOL BOARD

Mary Cervantes, parent of the district, spoke on the behalf of an incident that occurred with her daughter this spring at the FIS school. Her daughter was bullied and was beaten in a fight that the student stated she reported to staff. Parents would like something done about our Policy and encourage the school to enforce what the policy states. The family feels that her daughter has not been supported through this and are demanding a change.

ROUTINE BUSINESS

Motion by Ken Anderson to approve the adoption of the agenda, seconded by Stephanie Rudnitski and the motion carried unanimously.

Sharon Kipka requested that item 3h be removed from the consent agenda.

Approval of routine business items: Motion by Emily Lackinski to approve the meeting minutes from 5/16/2022 and 5/31/2022, board bills and the consent agenda items with the removal of item 3h. Seconded by Patric Lewandowski and the motion carries unanimously. 7-0

Consent Agenda

1. Retirements-Resignations

- a. FHS/FIS Kitchen Assistant, Nancy Lambert, resigned as of May 31, 2022.
- b. FES School Keeper- Ken Studanski retires as of May 25, 2022
- c. FHS Science Teacher- Jamie Score resigns on the last day of the 2021-22 school Contract.
- d. FHS Teacher- Al Stemper retiring as of 9/15/2022.
- e. FHS Spanish Teacher- Kaitlin Opdahl resigning as of 6/9/2022.
- f. Assistant Dance Coach- Tara Robinson resigned for the 2022-23 school year.

- g. Director of Finances and Operations- Karri Thorsten resigns as of July 15, 2022.
 - h. FHS Science Teacher/ Coach/Advisor- Eric Inglis resigns from his positions as Teacher, Girls and Boys Head Tennis Coach, JV Boys Basketball Coach, Student Council advisor and Chemical Hygiene Officer as of the end of the 2021-22 contract year.
 - i. Food Nutrition- Alexis Hemsworth resigns from her position as of June 8, 2022.
 - j. FHS Student Council Advisor- Brian Kemmy resigns as of June 3, 2022.
 - k. FIS EA- Pam Thell resigns as of June 3, 2022.
 - l. Transportation/Bus Driver- Peter Bonzelet retiring as of 6/22/2022.
2. Contracts/Adjustments/Position Change
- a. FES SPED Teacher Starting 2022-23 school year- Riane Beebe
 - b. FHS Science Teacher starting 2022-23 school year- Daniel Marod
 - c. FHS Science Teacher starting 2022-23 school year- Jonathan Hageman
 - d. FES 2nd Grade Teacher starting 2022-23 school year- Brooke Nelson
 - e. FES Phy-Ed Teacher- Glenda Prom changing to a full 1 FTE from a .68 FTE for the 2022-23 school year.
 - f. FHS Social Studies Teacher- Jacob Marcus starting the 2022-23 school year.
 - g. Transportation- Extension on contract to cover summer hours- Chelsey Novak
 - h. Summer Custodial Help
 - 1. Joseph Thorsten
 - 2. Ryan Piepgras
 - 3. AJ Evenson
 - 4. Jerome Emmerich
 - 5. Katlynn Tangen
 - 6. Gavin Gross
 - 7. Carter Thell
 - 8. Daniel Dahmen
 - i. Summer EA's
 - 1. Tammy Brua- FES Kinder Camp
 - 2. Ben Kallaway- FIS
 - 3. Molly Pekarek- FES Health office
 - 4. Laura Hommerding- FIS
 - j. Summer Transportation
 - 1. Crystal Markfort- Van Driver
 - 2. Kati Wolf- Van Driver
 - 3. Pamela Alderink- Van Driver
 - 4. Marla Foss- Van Driver
 - 5. Ryan Markfort-Van Driver
 - 6. Jean Fleck- Van Driver

7. Desiree Weitalla- Van Driver
8. Krista Tangen- Van Driver
- k. Summer Technology Helpers
 1. Nicholas Hogert
 2. Ava Novak
 3. Luke Hutchins
3. Extra-Curricular ON staff Contracts
 - a. Karissa Darling- Marching Band Assistant Director
 - b. Andrea Pelowski- Co-MN Honor Society Advisor
 - c. Michelle Gross Co-MN Honor Society Advisor
 - d. Sarah Erickson- Marching Band Colorguard
 - e. Barb Winkelman- Marching Band Uniforms and Head Chaperone
 - f. Janel Hesch- Marching Band Director
 - g. Deanna Jacobson- EA for Community Education 1:1
 - h. 2022-23 Head Girls Basketball Coach- Jay Storkamp- removed per request of Sharon Kipka
4. Extra-Curricular OFF staff contracts
 - a. Kortney Johnson- Marching Band Drumline
 - b. Ben Kalway- Marching Band Drumline
 - c. Allie Rhoda- Marching Band Drumline
 - d. Mikayla Griswold- Marching band Colorguard
5. Approval of Meeting Minutes
6. Board Bills

Item 3h: hiring of the 2022-23 Head Girls Basketball Coach- Jay Storkamp. Motion by Emily Lachinski to approve 2022-23 Head Girls Basketball Coach- Jay Storkamp, seconded by Ken Anderson. The motion carries with a vote of 5-2, Sharon Kipka and Patric Lewandowski voting against.

Resolution for Accepting Gifts (Action) **RESOLUTION FOR ACCEPTING GIFTS (Action)** A motion by Patric Lewandowski to accept the resolution for accepting gifts, seconded by Sharon Kipka. The motion carries unanimously by Roll Call Vote 7-0.

Child Nutrition Assistant Director (Discussion/Action) Motion by Ken Anderson to approve Child Nutrition Assistant Director, seconded by Stephanie Rudnitski. The motion carries unanimously.

2021-2022 Final Revised Budget Presentation (Discussion/Action) Motion by Patric Lewandowski to approve 2021-2022 Final Revised Budget Presentation, seconded by Becky Howard. The motion carries unanimously.

2022-2023 Adopted Budget Presentation (Discussion/Action) Motion by Patric Lewandowski to approve 2021-2022 Adopted Budget Presentation, seconded by Ken Anderson. The motion carries unanimously.

SRO Contract 2022-2023 School year (Discussion/Action) Motion by Sharon Kipka to approve SRO Contract 2022-2023 School year, seconded by Stephanie Rudnitski. The motion carries unanimously.

Sharon Kipka did question the percentage of increase and made it clear that this proposal is not the district's proposal. Karri Thorsten responded with an approximately 15% increase in SRO contract overall. This did include a step change and other factors.

Resolution for General Election Relating to the Election of School Board Members: Calling the School District General Election (Discussion-Action-Roll Call Vote)

RESOLUTION FOR GENERAL ELECTION RELATING TO THE ELECTIONS OF THE SCHOOL BOARD MEMBERS. A motion by Ken Anderson to accept the resolution for accepting gifts, seconded by Emily Lachinski. The motion carries unanimously by Roll Call Vote 7-0.

Transportation for the 2022-23 school year (Discussion/Action) Motion by Sharon Kipka to approve Transportation for the 2022-23 school year, seconded by Emily Lachinski. The motion carries unanimously.

We will move forward with Trobecs as our management for our Transportation for the 2022-23 school year.

Policies requiring review: (Discussion) Second reading and call for public comment on the following policies:

- a. Policy 504- Student Dress and Appearance
- b. Policy 541- Foreign Exchange students
- c. Policy 542- Student Council
- d. Policy 602- Organization of school calendar and school day
- e. Policy 611- Home Schooling
- f. Policy 652- Procedure for Early Kindergarten Entrance

Administrator Information and Reports

Meeting Event and Notices

Note: This list does not include schedule events. Please visit www.foley.k12.mn.us for a full calendar or visit the district office.

- a. 7/18/2022- Regular School Board Meeting at 6:00 PM in the FIS Media Center

OPEN FORUM FOR CITIZENS TO ADDRESS THE SCHOOL BOARD

No comments were brought forth.

BOARD MEMBER COMMENTS

Board members shared comments and thanked those who offer time, talents, and donations to our district.

ADJOURNMENT

Motion by Ken Anderson to adjourn the meeting at 6:49 pm. Seconded by Sharon Kipka and the motion carried unanimously.

Respectfully submitted,

Sharon Kipka, Clerk

SCHOOL RESOURCE OFFICER AGREEMENT

This Agreement is made July 1, 2021, by and between FOLEY INDEPENDENT SCHOOL DISTRICT #51 ("DISTRICT") and the CITY OF FOLEY ("CITY") as follows:

WHEREAS, the DISTRICT agrees to purchase services from the CITY and the CITY agrees to provide and manage a School Resource Officer Program to and for the DISTRICT, consisting of not less than one full-time School Resource Officer (SRO), a vehicle, necessary supplies and equipment and DISTRICT agrees to reimburse the CITY for 50% of the officer's wages and benefits in providing said SRO Program; and

WHEREAS, the DISTRICT and the CITY desire to set forth in this Agreement the general terms and conditions of the services to be performed by the SRO in DISTRICT's facilities.

NOW, THEREFORE, the parties agree as follows:

1. Goals and Objectives

It is understood and agreed that DISTRICT and CITY officials share the following goals and objectives with regard to the SRO Program in the schools:

A. Education

- (1) Provide classroom support in the area of safety, distracted driving, chemical use, and law enforcement in the community.
- (2) Presentations to classrooms, faculty, administration, or other groups regarding criminal justice issues.
- (3) The SRO may collaborate with DARE program.

B. Information

- (1) Inform school personnel about community law enforcement trends.
- (2) Keep school officials informed about relevant changes in laws.
- (3) Provide school administrators with information on ongoing investigations that concern school issues or might affect decisions that administrators make.
- (4) Attend staff meetings as a support for school personnel when requested.
- (5) Collect relevant interaction data.

C. Prevention

- (1) Be present during non-structured student time: passing times, lunches, parking lots, assemblies, and student arrival and dismissal.
- (2) Support all buildings including Foley Elementary, Foley Intermediate, Foley High School, Alternative Learning Center, and Foley District Office. The SRO will also provide some services during summer school including patrol of grounds, assistance with students and attending meetings as needed.
- (3) The expectation is that the SRO will project a positive image of the law enforcement profession and build relationships with students and staff.

D. Intervention

- (1) Intervene violent behaviors by students.
- (2) Protect students and school staff from acts of violence.
- (3) Intervene with chemical use issues.
- (4) Provide support for weapons violations.
- (5) Provide support for intruder procedures.
- (6) Provide assistance with COVID-19 guidelines (from police/first responder perspective)
- (7) Provide assistance with lunches, materials and packets in a distance learning situation.
- (8) Provide assistance with SAT (Student Assessment Team).
- (9) Assist with welfare checks with those students not attending online.
- (10) Respond to anonymous tips located within the City Limits and contact and collaborate with agencies to respond outside city limits.

2. Employment and Assignment of the School Resource Officer

A. The CITY agrees to employ a School Resource Officer (SRO) during the term of this Agreement subject to the following provisions:

- (1) Compensation from the DISTRICT to the CITY in accordance with the terms of this Agreement to cover 50% of the costs of the SRO as provided in Exhibit A, which shall be annually updated by the CITY. Compensation shall be prorated for the initial term and any future partial term. Compensation shall be paid by the DISTRICT to the CITY in four (4) quarterly installments. The CITY will bill the DISTRICT at the completion of each quarter.

- (2) The CITY has a police officer available for deployment to DISTRICT. In the event of a reduction or restructuring of the police department's workforce which results in the reassignment of the SRO or the loss of this program, this Agreement shall be considered null and void after thirty (30) days written notice to the DISTRICT. Any prepaid compensation extending beyond the expiration of the 30-day notice will be refunded to DISTRICT by the CITY.
 - (3) The SRO shall be an employee of the CITY's Police Department and shall be under the administration, supervision, and control of the CITY, subject to the terms and conditions of this Agreement. The SRO shall be subject to all other personnel policies and practices of the Foley Police Department except as such policies or practices may have to be modified to comply with the terms and conditions of this Agreement.
- B. The CITY, in its sole discretion, shall have the power and authority to appoint, remove and discipline SROs. The SRO shall be assigned by the CITY to the DISTRICT. Specifically assigned tasks will determine where the SRO will report to on any given day, however, the SRO will be prepared to serve in any of the schools in the district as demands arise.
- C. In the event that the SRO is absent from work, the SRO shall notify both the supervisor in the Foley Police Department and the Superintendent or the Superintendent's designee. A substitute officer shall not be provided during the short term absence of the SRO.
- D. During the summer months and other periods when school is not in session, the SRO will be required to perform work outside of the DISTRICT as assigned by the CITY. The SRO will provide some support during summer school hours. The SRO will be allowed such reasonable time in the beginning of June to complete unfinished tasks and, at the end of August to prepare for the following school year.

3. Duty Hours

- A. An SRO shall be assigned to the school on a full-time basis. Specific SRO duty hours shall be set by mutual agreement between the DISTRICT and the CITY.
- B. It is understood and agreed that the time spent by the SRO attending court for juvenile and criminal cases arising from or out of the SRO's assignment as an SRO is encompassed by this Agreement.
- C. The SRO will only be called away from duties for the school district under emergency conditions, training, and short term policing needs of the City of Foley.

4. Duties of School Resource Officers

- A. The SRO shall assist the school administration in developing plans and strategies to prevent and minimize dangerous situations that may occur on campus, and also address other issues determined important by the school administration.
- B. The SRO shall present programs on various topics to students. Subjects shall include a basic understanding of law, role of law enforcement, drug awareness, distracted driving, sexual assault, anger management, and the mission of law enforcement.
- C. The SRO is encouraged to interact with students on an individual basis and in small groups.
- D. The SRO shall be available for conferences involving teachers, parents and faculty.
- E. The SRO shall be familiar with agencies and resources that offer assistance to youth and their families, and make referrals to agencies when necessary.
- F. The SRO shall take law enforcement action when necessary.
- G. The SRO shall communicate with school administration to make them aware of arrest or crime.
- H. The SRO shall notify the principal or their designee before removing a student from school.
- I. The SRO can take law enforcement action against intruders and unwanted guests who appear on school property.
- J. The SRO shall conduct investigations of crimes which occur at school and use other resources, if needed, for follow-up investigations.
- K. The SRO shall not be used as a school disciplinarian. If school administration believes an incident is a violation of the law, they may contact the SRO to see if law enforcement action is needed.
- L. The SRO shall follow the Foley Police Department's Standard Operating Procedures when confiscating drugs from students on school property.
- M. The SRO shall follow the guidelines of the Minnesota Statutes, case law, School Board Policy and the Foley Police Department's Standard Operating Procedures in regards to investigations, interviews and searches relating to juveniles.

5. Dress Code

- A. The SRO shall wear either a Foley Police Department issued uniform or other attire as mutually approved by the school administration and Police Chief.

6. Supplies and Equipment

- A. The CITY agrees to provide all necessary equipment and supplies for the SRO to function as a licensed peace officer including; a police vehicle and related equipment.
- B. The DISTRICT agrees to provide the SRO with the usual and customary office supplies and forms required in the performance of administrative duties. In addition, the SRO will be provided a private office within the school that is accessible by the students. The SRO shall also be provided a desk, telephone, computer and access to a printer and fax machine. The SRO shall also be provided with a lockable cabinet of space for securing evidence or other controlled materials.

7. Firearms

- A. The SRO shall at all times carry a duty firearm. No firearms shall be stored in the school. A duty rifle may be stored in the SRO's police vehicle

8. Investigations, Interrogations, Search and Arrest Procedures

- A. The SRO shall act in a professional manner at all times and will follow practices and procedures established by applicable local, state and federal laws concerning the interrogation, search and arrest of students or others suspected of committing criminal offenses or participating in other misconduct. Upon arrest of a student, the SRO shall notify school administration before removing any student from campus.

9. Information Exchange

- A. The SRO and DISTRICT shall cooperate in ensuring the privacy of students pursuant to MSA § 260B.171, Subd. 5(e) and all other applicable laws and regulations.
- B. School officials shall allow the SRO to inspect and copy any public records maintained by the school, including student directory information such as yearbooks.
- C. If some information in a student's cumulative record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety.

10. Term of Agreement

- A. The initial term of this Agreement shall end on July 1, 2019. The Agreement may be renewed and extended annually for additional and successive one-year terms unless notice of non-renewal is given by either party, in writing, prior to June 1st of the initial or any succeeding term.

11. Insurance and Indemnification

- A. The CITY and DISTRICT shall each purchase and maintain in full force and effect during the term of this Agreement, a general comprehensive liability insurance policy with coverage in any amount of not less than One Million Dollars (\$1,000,000) for any acts or omissions that occur or claims that are made during the term of the Agreement.
- B. Except for claims arising out of the willful or negligent act of the other party or its representatives, each party shall indemnify and defend the other party against all claims, expenses, and liabilities incurred, including reasonable attorney fees, related to claims for loss of life, personal injury, and damage to property arising out of any occurrence in, upon or at the School District properties in accordance with the execution of the School Resource Officers' duties under this contract.

12. Evaluation

- A. It is mutually agreed that the DISTRICT shall regularly communicate with the CITY on the effectiveness of the SRO Program and the performance of the SRO. It is further understood that the DISTRICT evaluation of the SRO is advisory only and that the CITY retains the final authority to evaluate the performance of the SRO.

{Signatures on following pages}

IN WITNESS WHEREOF, the parties hereto have caused this School Resource Officer Agreement to be executed the day and year first written above.

MAYOR, CITY OF FOLEY

By: _____

CITY ADMINISTRATOR, CITY OF FOLEY

By: _____

DISTRICT 51 SUPERINTENDENT

By: Paul Newman

DISTRICT 51 BOARD CHAIRPERSON

By: [Signature]

EXHIBIT A

(2021 Estimated SRO Cost)

2021 SRO Estimated Costs

Benefit	Rate	Annual Costs
Step	3	2080 Hrs
Annual Salary	\$22.13	\$46,030.40
Vacation, Sick, Holiday	244	\$5,399.72
Medicare	1.45%	\$667.44
PERA	11.80%	\$5,431.59
Health Ins	\$1,728.04	\$20,736.43
Dental Ins	\$107.50	\$1,290.00
Life Ins	\$11.50	\$138.00
LTD Ins	\$8.21	\$98.52
Training		\$1,200.00
SRO Training		\$1,000.00
Taser/Equipment		\$1,000.00
Cell Phone		\$1,000.00
Squad Computer/Verizon Service		\$2,000.00
Uniforms		\$1,300.00
Fuel		\$300.00
Squad Car		\$6,700.00
Misc		\$1,000.00
Total Annual Benefit		\$95,292.10

Bills List - July 12th, 2022		
Gross Salaries	Payroll - 6/3/22	\$ 32,656.75
EFTPS	Federal Withholding	\$ 5,733.74
MN Dept of Revenue	State Withholding	\$ 1,110.76
State Treas. PERA	PERA	\$ 6,161.72
Nationwide	Deferred Comp	\$ 1,002.85
Pacific Life Ins	Deferred Comp/Roth IRA	\$ 70.00
Further	HSA Contribution	\$ 884.79
Gross Salaries	Payroll - 6/17/22	\$ 47,062.06
EFTPS	Federal Withholding	\$ 8,292.72
MN Dept of Revenue	State Withholding	\$ 1,801.42
State Treas. PERA	PERA	\$ 8,943.76
Nationwide	Deferred Comp	\$ 1,002.85
Pacific Life Ins	Deferred Comp/Roth IRA	\$ 70.00
Further	HSA Contribution	\$ 884.79
LELS	Police Union Dues	\$ 195.00
Gross Salaries	Payroll - 7/1/22	\$ 44,816.18
EFTPS	Federal Withholding	\$ 8,281.49
MN Dept of Revenue	State Withholding	\$ 1,551.77
State Treas. PERA	PERA	\$ 6,573.86
Nationwide	Deferred Comp	\$ 1,002.85
Pacific Life Ins	Deferred Comp/Roth IRA	\$ 70.00
Further	HSA Contribution	\$ 884.79
Gross Salaries - FIRE	Payroll - 7/8/22	\$ 33,142.00
EFTPS	Federal Withholding	\$ 5,570.74
MN Dept of Revenue	State Withholding	\$ 300.00
Already Paid 7/2022		
Cloudnet	07/22 Server Fee	\$ 10.00
Delta Dental	Employee Dental Insurance	\$ 1,265.60
East Central Energy	Utilities	\$ 1,223.39
First National Bank of Omaha	June CC purchases	\$ 3,544.23
Gopher State One Call	Email Tickets-June 2022	\$ 66.15
Marco	06/22 copier lease	\$ 516.74
Midco	Phone & Internet Services	\$ 815.51
Sun Life Assurance	Employee LTD	\$ 266.47
USABLE Life	Employee Life Insurance	\$ 260.50
Verizon	PW, PD, FD Cell Phone	\$ 370.35
Wex Bank	FD, PW Fuel	\$ 2,857.85
Xcel Energy	06/22 Utilities	\$ 7,503.60
To Be Paid - 7/12/2022		
Adam Foss	PW Lawn Mowing 6-18-22	\$ 55.00
AllSpec Services	Building Official Services	\$ 974.85
Auto Value	PW supplies	\$ 21.98
Benton County Highway Department	May and June PD Fuel	\$ 2,931.77
Benton Trophy & Awards	FD Supplies	\$ 15.68
Bolton & Menk	WW Expansion	\$ 187,761.96
Central McGowan	PD & FD Supplies	\$ 504.13
Cintas	Uniforms	\$ 319.92
Coalition of Greater MN Cities	2022 CGMC General Dues Assessment	\$ 5,263.00
Compass Minerals	PW Sand/Salt	\$ 4,132.17
Crysteel	PW Equipment	\$ 350.86
Davidson Business Equipment	pool supplies	\$ 46.00
Ehlers	2015A Bond Interest/ Fee's	\$ 10,450.00
Emergency Medical Products	FD Medical Supplies	\$ 201.85
Falcon National Bank	2020 A Bond Interest	\$ 7,765.00
Foley Civic Group	2022 Fun Days Support	\$ 6,000.00
Foley Fuel & Lumber	PW supplies and Storage Shed Addition	\$ 10,057.32
Foley Hardware	PW Supplies	\$ 156.91
Further	Employer HSA Contribution and Admin Fee	\$ 30.35
Further	6/22 Emp Ins H S A Con	\$ 350.00
Galls	PD supplies	\$ 28.98
Gilman Coop Creamery	PW weed spray	\$ 360.00
Granite Electronics	PD supplies PW Radio Repair	\$ 171.39
Handyman's Hardware	PW supplies and Fun Days supplies	\$ 145.24
Hanson Paving	PW Water Leak Patch	\$ 2,500.00
Hawkins	Pool & PW Water Chemicals	\$ 2,752.11
Health Partners	Insurance premium June	\$ 13,690.04
Henry Embroidery & Screen	PW Pool and PD Bike Safety	\$ 942.00
HHULS Bros Trucking	PW Softball Field supplies	\$ 961.02
Kemble Inc	PW Compost Pile Grinding	\$ 9,000.00
KirbyBuilt	PW Pool Benches	\$ 7,815.07
Locators & Supplies, Inc	PW PT uniforms	\$ 157.11
MacQueen Equipment	FD Foam	\$ 902.66
MarTeck	Fun Days/Park and Pool Supplies	\$ 886.00
Midstate Sales	FD vehicle Repair	\$ 364.75
Mimbach Fleet Supply	PW weed spray	\$ 43.99
MN Department of Revenue	Sales and Use Tax - June	\$ 604.00
MN Dept of Labor	2022 QTR 1 Permits	\$ 160.75
Molitor Excavation Inc	PW Water Service Repair	\$ 5,990.00
MTI Distributing	PW mowing parts	\$ 185.43
Municipal Emergency Services	FD Hose	\$ 616.40
Murphy's Chev	PD Squad Maintenance	\$ 106.57
Mustang Signs & Graphics	PW Fun Days Signs	\$ 55.00
Northland Trust Services	Series 2018A Bond Obligation	\$ 35,545.00
Pollard Water	Water testing	\$ 11.05
Rengel Printing Company	FD forms	\$ 158.76
RevTrak	CC Fee's June	\$ 1,302.18
Rinke Noonan	Union, General Legal	\$ 2,018.00
RMB Environmental Laboratories, Inc.	Water & Sewer Testing	\$ 1,145.00
Schlenner Wenner & Co	2021 Preparation of Audit	\$ 19,950.00
Shift Technologies	06/22 Antivirus, Antispam, IT Service	\$ 2,524.66
Short Elliott Hendrickson, Inc	Gen Engineering, County Property & Hwy 23 project	\$ 4,635.10
Silversmith Data	GPS Marking System & Annual Info	\$ 8,200.00
Staples	Office Supplies	\$ 89.47
Star Publications	Public Hearing, Fundays Printing	\$ 118.94
Team Lab	PW Sewer Chemicals	\$ 1,259.50
The ACLS Company	FD EMR & CPR Refresher	\$ 2,200.00

\$ 439,144.60

Additional To Be Paid - 7/12/2022



**BOLTON
& MENK**

Real People. Real Solutions.

2040 Highway 12 East
Willmar, MN 56201-5818

Ph: (320) 231-3956
Fax: (320) 231-9710
Bolton-Menk.com

6/29/2022

Sarah Brunn
City Administrator
City of Foley
251 4th Ave. N
Foley, MN 56329

RE: Wastewater Regionalization Project
City of Foley, Minnesota
Project No.: R21.120226

Dear Sarah,

Please find enclosed Payment Estimate No. 1 for the above referenced project. The estimate includes work completed through June 24th. We have reviewed the estimate and recommend approval. If you agree, please sign and date three copies and return one with payment to Geislinger & Sons, Inc., one copy to me for our records, and retain one for yourself.





Please contact me if you have any questions.

Sincerely,

Bolton & Menk, Inc.

Jared Voge, P.E.
Principal Engineer

Contractor's Application for Payment

Owner: <u>City of Foley</u> Engineer: <u>Bolton & Menk, Inc.</u> Contractor: <u>Geislinger and Sons, Inc.</u> Project: <u>Wastewater Regionalization Project</u> Contract: <u>Wastewater Regionalization Project</u>	Owner's Project No.: _____ Engineer's Project No.: <u>R21.120226</u> Agency's Project No.: _____																																				
Application No.: <u>1</u> Application Date: <u>7/1/2022</u>																																					
Application Period: From <u>6/1/2022</u> to <u>6/24/2022</u>																																					
<table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 60%;">1. Original Contract Price</td><td style="width: 5%; text-align: right;">\$</td><td style="width: 35%; text-align: right;">16,548,705.51</td></tr><tr><td>2. Net change by Change Orders</td><td style="text-align: right;">\$</td><td style="text-align: right;">-</td></tr><tr><td>3. Current Contract Price (Line 1 + Line 2)</td><td style="text-align: right;">\$</td><td style="text-align: right;">16,548,705.51</td></tr><tr><td>4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)</td><td style="text-align: right;">\$</td><td style="text-align: right;">1,094,347.50</td></tr><tr><td>5. Retainage</td><td></td><td></td></tr><tr><td> a. <u>5%</u> X \$ <u>597,550.00</u> Work Completed</td><td style="text-align: right;">\$</td><td style="text-align: right;">29,877.50</td></tr><tr><td> b. _____ X \$ <u>496,797.50</u> Stored Materials</td><td style="text-align: right;">\$</td><td style="text-align: right;">-</td></tr><tr><td> c. Total Retainage (Line 5.a + Line 5.b)</td><td style="text-align: right;">\$</td><td style="text-align: right;">29,877.50</td></tr><tr><td>6. Amount eligible to date (Line 4 - Line 5.c)</td><td style="text-align: right;">\$</td><td style="text-align: right;">1,064,470.00</td></tr><tr><td>7. Less previous payments</td><td style="text-align: right;">\$</td><td style="text-align: right;">-</td></tr><tr><td>8. Amount due this application</td><td style="text-align: right;">\$</td><td style="text-align: right;">1,064,470.00</td></tr><tr><td>9. Balance to finish, including retainage (Line 3 - Line 4)</td><td style="text-align: right;">\$</td><td style="text-align: right;">15,454,358.01</td></tr></table>		1. Original Contract Price	\$	16,548,705.51	2. Net change by Change Orders	\$	-	3. Current Contract Price (Line 1 + Line 2)	\$	16,548,705.51	4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	1,094,347.50	5. Retainage			a. <u>5%</u> X \$ <u>597,550.00</u> Work Completed	\$	29,877.50	b. _____ X \$ <u>496,797.50</u> Stored Materials	\$	-	c. Total Retainage (Line 5.a + Line 5.b)	\$	29,877.50	6. Amount eligible to date (Line 4 - Line 5.c)	\$	1,064,470.00	7. Less previous payments	\$	-	8. Amount due this application	\$	1,064,470.00	9. Balance to finish, including retainage (Line 3 - Line 4)	\$	15,454,358.01
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Contractor's Certification The undersigned Contractor certifies, to the best of its knowledge, the following: (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment; (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.																																					
Contractor: <u>Geislinger and Sons, Inc.</u>																																					
Signature: <u></u>	Date: <u>6-28-22</u>																																				
Name: <u>Matt Geislinger</u>	Title: <u>Project Manager</u>																																				
<table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; vertical-align: top;">Recommended by Engineer By: <u></u> Name: <u>Jared Voge, P.E.</u> Title: <u>Principal Engineer</u> Date: <u>6-29-2022</u></td><td style="width: 50%; vertical-align: top;">Approved by Owner By: _____ Name: _____ Title: _____ Date: _____</td></tr></table>		Recommended by Engineer By: <u></u> Name: <u>Jared Voge, P.E.</u> Title: <u>Principal Engineer</u> Date: <u>6-29-2022</u>	Approved by Owner By: _____ Name: _____ Title: _____ Date: _____																																		
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Progress Estimate - Unit Price Work

Owner:	City of Foley	Contractor's Application for Payment
Engineer:	Bolton & Menk, Inc.	Owner's Project No.: R21.120226
Contractor:	Giesinger and Sons, Inc.	Engineer's Project No.:
Project:	Wastewater Regionalization Project	Agency's Project No.:
Contract:	Wastewater Regionalization Project	

Application No.: 1		Application Period: From 06/01/22 to 06/24/22		Application Date: 07/01/22										
Bid Item No.	Description	C	D	Contract Information		F	F1	F2	Work Completed		I	J	K	L
				Item Quantity	Units				Unit Price (\$)	Value of Bid Item (C X E) (\$)				
Original Contract														
1	MOBILIZATION	1.00	LUMP SUM			570,000.00			0.25	142,500.00		142,500.00	25%	427,500.00
2	CLEARING AND GRUBBING	1.70	ACRE			31,000.00			0.55	17,050.00		17,050.00	32%	35,650.00
3	CLEARING AND GRUBBING	27.00	TREE			1,100.00			-	-		-	-	29,700.00
4	DECOMMISSION BIRCH LIFT STATION	1.00	LUMP SUM			7,500.00			-	-		-	-	7,500.00
5	SALVAGE AND REINSTALL SIGN	14.00	EACH			510.00			-	-		-	-	7,140.00
6	SALVAGE AND REINSTALL PIPE CULVERT	252.00	LIN FT			20.00			-	-		-	-	5,040.00
7	AGGREGATE SURFACING FROM STOCKPILE (CV)	4,164.00	CU YD			21.00			-	-		-	-	87,444.00
8	DEWATERING	1.00	LUMP SUM			0.01			-	-		-	-	0.01
9	GEOTEXTILE FABRIC, TYPE 5	8,053.00	SQ YD			2.00			-	-		-	-	16,106.00
10	COMMON EXCAVATION (P)	4,082.00	CU YD			15.00			-	-		-	-	61,230.00
11	AGGREGATE SURFACING, CLASS 2 (CV)	908.00	CU YD			50.00			-	-		-	-	45,400.00
12	AGGREGATE SURFACING, CLASS 5 (CV)	1,519.00	CU YD			40.00			-	-		-	-	60,760.00
13	AGGREGATE BASE, CLASS 5 (CV)	2,747.00	CU YD			35.00			-	-		-	-	96,145.00
14	BITUMINOUS PATCH - DRIVEWAY	450.00	SQ YD			90.00			-	-		-	-	40,500.00
15	BITUMINOUS PATCH - STREET	796.00	SQ YD			85.00			-	-		-	-	67,660.00
16	12" PIPE APRON	4.00	EACH			250.00			-	-		-	-	1,000.00
17	15" PIPE APRON	6.00	EACH			310.00			-	-		-	-	1,860.00
18	18" PIPE APRON	4.00	EACH			375.00			-	-		-	-	1,500.00
19	24" PIPE APRON	4.00	EACH			525.00			-	-		-	-	2,100.00
20	30" PIPE APRON	1.00	EACH			950.00			-	-		-	-	950.00
21	12" PIPE CULVERT	80.00	LIN FT			30.00			-	-		-	-	2,400.00
22	15" PIPE CULVERT	75.00	LIN FT			32.00			-	-		-	-	2,432.00
23	18" PIPE CULVERT	143.00	LIN FT			36.00			-	-		-	-	5,148.00
24	24" PIPE CULVERT	282.00	LIN FT			45.00			-	-		-	-	12,690.00
25	30" PIPE CULVERT	20.00	LIN FT			65.00			-	-		-	-	1,300.00
26	CONNECT TO EXISTING SANITARY MAIN	8.00	EACH			7,500.00			-	-		-	-	60,000.00
27	8" SANITARY SEWER PIPE	221.00	LIN FT			125.00			-	-		-	-	27,625.00
28	12" SANITARY SEWER PIPE	1,995.00	LIN FT			135.00			-	-		-	-	269,325.00
29	15" SANITARY SEWER PIPE	285.00	LIN FT			140.00			-	-		-	-	39,900.00
30	18" SANITARY SEWER PIPE	40.00	LIN FT			165.00			-	-		-	-	6,600.00
31	27" SANITARY SEWER PIPE	38.00	LIN FT			250.00			-	-		-	-	9,500.00
32	FORCE MAIN (MIN. I.D. 11.65 INCHES)	70,839.00	LIN FT			100.00			4,235.00	423,500.00	436,722.50	860,222.50	12%	6,223,677.50
33	24" CASING (MIN. DIAM)	374.00	LIN FT			250.00			-	-		-	-	93,500.00
34	TRENCHLESS FORCE MAIN - (MIN. I.D. 11.65 INCHES)	10,692.00	LIN FT			115.00			-	-		-	-	1,229,580.00
35	TRENCHLESS FORCE MAIN & CASING-SIMULTANEOUS PULL-	1,386.00	LIN FT			250.00			-	-	60,075.00	60,075.00	17%	286,425.00
36	TRENCHLESS 30" CASING (DIRECTIONAL DRILL)	110.00	LIN FT			850.00			-	-	-	-	-	93,500.00
37	GATE VALVE AND BOX	12.00	EACH			5,500.00			-	-	-	-	-	66,000.00
38	METERING & OUTFALL MANHOLES - FOLEY	1.00	LUMP SUM			40,000.00			-	-	-	-	-	45,000.00
39	METERING MANHOLE - SAUK RAPIDS	1.00	LUMP SUM			45,000.00			-	-	-	-	-	2,795.00
40	CONSTRUCT 8" OUTSIDE DROP	4.30	LIN FT			650.00			-	-	-	-	-	97,900.00
41	CONSTRUCT SANITARY SEWER MANHOLE - DESIGN 4007 48"	178.00	LIN FT			550.00			-	-	-	-	-	15,535.00
42	CONSTRUCT SANITARY SEWER MANHOLE - 60" DESIGN	23.00	LIN FT			650.00			-	-	-	-	-	40,000.00
43	FIBERGLASS-REINFORCED MANHOLE	1.00	EACH			40,000.00			-	-	-	-	-	14,000.00
44	CASTING ASSEMBLY	14.00	EACH			1,000.00			-	-	-	-	-	1,050,000.00
45	AIR & VACUUM RELEASE MANHOLE	42.00	EACH			25,000.00			-	-	-	-	-	56,500.00
46	LOCATE EXISTING UTILITY	468.00	EACH			125.00			16.00	2,000.00		2,000.00	3%	350,000.00
47	CONSTRUCT LIFT STATION - BROADWAY	1.00	LUMP SUM			350,000.00			-	-	-	-	-	125,000.00
48	BROADWAY LIFT STATION ELECTRICAL, GENERATOR, &	1.00	LUMP SUM			125,000.00			-	-	-	-	-	400,000.00
49	CONSTRUCT LIFT STATION - GOLF	1.00	LUMP SUM			400,000.00			-	-	-	-	-	400,000.00

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:		City of Foley		Owner's Project No.:		R21.120226	
Engineer:		Bolton & Menk, Inc.		Engineer's Project			
Contractor:		Geislinger and Sons, Inc.		Agency's Project No.:			
Project:		Wastewater Regionalization Project					
Contract:		Wastewater Regionalization Project					
Application No.:		1		Application Period:		06/24/22	
From		06/01/22		to		07/01/22	
Application Date:							
Application No.:		1		Application Period:		06/24/22	
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CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2022-18

A RESOLUTION COMMITTING TO CERTAIN FINANCIAL OBLIGATIONS IN CONJUNCTION
WITH FEDERAL AND STATE FUNDING FOR THE 2022 WASTEWATER REGIONALIZATION
PROJECT

WHEREAS, the City of Foley (the “City”) has submitted an application to the Minnesota Public Facilities Authority (the “PFA”) for a Wastewater Improvement Project (the “Project”); and

WHEREAS, the PFA has currently committed to supporting this project through the following funding sources and amounts:

Clean Water Revolving Fund (loan) of approximately \$19,790,428 subject to certain financial commitments from the City.

NOW, THEREFORE, BE IT RESOLVED, that the City, in accepting the terms from PFA for the Project, commits to implementing the following:

1. The City will annually review the revenues and expenditures of the sewer system and ensure that revenues are sufficient to pay for system expenses, including debt service and operations/maintenance.
2. The City expects it will need to raise the monthly Sewer User Charges in the next three annual updates (2023-2025) to their fee schedule to generate at least an additional \$1,125,000 annually. Subsequent rate increases will continue as needed to cover additional operating or capital expenses in the future.
3. In the event net revenues are not sufficient to cover sewer system costs the City will utilize a combination of the following actions: additional increases to sewer base and/or user rates, cash reserves from the Sewer Enterprise Fund. General Fund or Expendable Trust Fund Transfers.
4. Cash Reserves from the Sewer Enterprise Fund will be used only when doing so will not result in the balance falling below \$500,000.00.

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota, this 12th day of July, 2022.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, City Administrator

Foley - cw02

Loan Amortization Schedule

MPFA-CWRF-L-___-FY___

19,790,482.00

Rate: 2.601%

[insert Project Description-short]

Date:

Type of Note:

Tax Exempt

Maturity: 08/20/52

[insert revenue pledge type]

final loan amount: 19,790,482.00

Date	Effective	Source	Disbursement	Repayment	Interest	Principal	Loan Balance	Annl Debt Srv
projected	07/27/22	Op Res	19,790,482.00				19,790,482.00	
projected	08/24/22	Op Res			38,606.28		19,790,482.00	
projected	09/28/22	Op Res			37,221.59		19,790,482.00	
projected	10/26/22	Op Res			35,775.76		19,790,482.00	
projected	11/23/22	Op Res			34,334.09		19,790,482.00	
projected	12/28/22	Op Res			32,909.21		19,790,482.00	
projected	01/25/23	Op Res			31,515.49		19,790,482.00	
	08/20/23			773,119.27	547,637.27	225,482.00	19,565,000.00	773,119.27
	02/20/24			254,442.83	254,442.83		19,565,000.00	
	08/20/24			485,442.83	254,442.83	231,000.00	19,334,000.00	739,885.66
	02/20/25			251,438.67	251,438.67		19,334,000.00	
	08/20/25			729,438.67	251,438.67	478,000.00	18,856,000.00	980,877.34
	02/20/26			245,222.28	245,222.28		18,856,000.00	
	08/20/26			735,222.28	245,222.28	490,000.00	18,366,000.00	980,444.56
	02/20/27			238,849.83	238,849.83		18,366,000.00	
	08/20/27			741,849.83	238,849.83	503,000.00	17,863,000.00	980,699.66
	02/20/28			232,308.32	232,308.32		17,863,000.00	
	08/20/28			748,308.32	232,308.32	516,000.00	17,347,000.00	980,616.64
	02/20/29			225,597.74	225,597.74		17,347,000.00	
	08/20/29			755,597.74	225,597.74	530,000.00	16,817,000.00	981,195.48
	02/20/30			218,705.09	218,705.09		16,817,000.00	
	08/20/30			761,705.09	218,705.09	543,000.00	16,274,000.00	980,410.18
	02/20/31			211,643.37	211,643.37		16,274,000.00	
	08/20/31			768,643.37	211,643.37	557,000.00	15,717,000.00	980,286.74
	02/20/32			204,399.59	204,399.59		15,717,000.00	
	08/20/32			776,399.59	204,399.59	572,000.00	15,145,000.00	980,799.18
	02/20/33			196,960.73	196,960.73		15,145,000.00	
	08/20/33			783,960.73	196,960.73	587,000.00	14,558,000.00	980,921.46
	02/20/34			189,326.79	189,326.79		14,558,000.00	
	08/20/34			791,326.79	189,326.79	602,000.00	13,956,000.00	980,653.58
	02/20/35			181,497.78	181,497.78		13,956,000.00	
	08/20/35			799,497.78	181,497.78	618,000.00	13,338,000.00	980,995.56
	02/20/36			173,460.69	173,460.69		13,338,000.00	
	08/20/36			807,460.69	173,460.69	634,000.00	12,704,000.00	980,921.38
	02/20/37			165,215.52	165,215.52		12,704,000.00	
	08/20/37			815,215.52	165,215.52	650,000.00	12,054,000.00	980,431.04
	02/20/38			156,762.27	156,762.27		12,054,000.00	
	08/20/38			823,762.27	156,762.27	667,000.00	11,387,000.00	980,524.54
	02/20/39			148,087.94	148,087.94		11,387,000.00	
	08/20/39			833,087.94	148,087.94	685,000.00	10,702,000.00	981,175.88
	02/20/40			139,179.51	139,179.51		10,702,000.00	
	08/20/40			841,179.51	139,179.51	702,000.00	10,000,000.00	980,359.02
	02/20/41			130,050.00	130,050.00		10,000,000.00	
	08/20/41			851,050.00	130,050.00	721,000.00	9,279,000.00	981,100.00
	02/20/42			120,673.40	120,673.40		9,279,000.00	
	08/20/42			859,673.40	120,673.40	739,000.00	8,540,000.00	980,346.80
	02/20/43			111,062.70	111,062.70		8,540,000.00	
	08/20/43			870,062.70	111,062.70	759,000.00	7,781,000.00	981,125.40
	02/20/44			101,191.91	101,191.91		7,781,000.00	
	08/20/44			879,191.91	101,191.91	778,000.00	7,003,000.00	980,383.82
	02/20/45			91,074.02	91,074.02		7,003,000.00	

Date	Effective	Source	Disbursement	Loan Amortization Schedule Repayment	Interest	Principal	Loan Balance	Ann'l Debt Srv
	08/20/45			890,074.02	91,074.02	799,000.00	6,204,000.00	981,148.04
	02/20/46			80,683.02	80,683.02		6,204,000.00	
	08/20/46			899,683.02	80,683.02	819,000.00	5,385,000.00	980,366.04
	02/20/47			70,031.93	70,031.93		5,385,000.00	
	08/20/47			911,031.93	70,031.93	841,000.00	4,544,000.00	981,063.86
	02/20/48			59,094.72	59,094.72		4,544,000.00	
	08/20/48			922,094.72	59,094.72	863,000.00	3,681,000.00	981,189.44
	02/20/49			47,871.41	47,871.41		3,681,000.00	
	08/20/49			932,871.41	47,871.41	885,000.00	2,796,000.00	980,742.82
	02/20/50			36,361.98	36,361.98		2,796,000.00	
	08/20/50			944,361.98	36,361.98	908,000.00	1,888,000.00	980,723.96
	02/20/51			24,553.44	24,553.44		1,888,000.00	
	08/20/51			956,553.44	24,553.44	932,000.00	956,000.00	981,106.88
	02/20/52			12,432.78	12,432.78		956,000.00	
	08/20/52			968,432.78	12,432.78	956,000.00	-	980,865.56
totals			19,790,482.00	28,974,479.79	9,183,997.79	19,790,482.00		28,974,479.79

Calculation of Loan Rate for Foley - cw02

MPFA-CWRF-L-____FY__

DRAFT

Date	Principal	07/07/22 Rate Scales		Cash flow using principal schedule and these rate scales:		Present Value of Cash Flows and these rate scales *:	
		PFA Bonds	MMD AAA	PFA Bonds	MMD AAA	PFA Bonds	MMD AAA
07/27/22	(19,790,482.00)				(19,790,482.00)		(19,790,482.00)
08/20/23	225,482.00		1.81%		801,969.26		778,176.46
02/20/24	-				268,893.35		257,248.79
08/20/24	231,000.00		1.93%		499,893.35		471,523.73
02/20/25	-				266,664.20		247,995.51
08/20/25	478,000.00		2.00%		744,664.20		682,798.41
02/20/26	-				261,884.20		236,752.32
08/20/26	490,000.00		2.05%		751,884.20		670,175.91
02/20/27	-				256,861.70		225,730.43
08/20/27	503,000.00		2.19%		759,861.70		658,382.43
02/20/28	-				251,353.85		214,724.76
08/20/28	516,000.00		2.30%		767,353.85		646,316.41
02/20/29	-				245,419.85		203,803.72
08/20/29	530,000.00		2.36%		775,419.85		634,880.88
02/20/30	-				239,165.85		193,066.72
08/20/30	543,000.00		2.44%		782,165.85		622,529.61
02/20/31	-				232,541.25		182,479.50
08/20/31	557,000.00		2.49%		789,541.25		610,860.18
02/20/32	-				225,606.60		172,096.37
08/20/32	572,000.00		2.56%		797,606.60		599,876.10
02/20/33	-				218,285.00		161,863.76
08/20/33	587,000.00		2.62%		805,285.00		588,746.39
02/20/34	-				210,595.30		151,802.96
08/20/34	602,000.00		2.67%		812,595.30		577,509.03
02/20/35	-				202,558.60		141,934.53
08/20/35	618,000.00		2.69%		820,558.60		566,891.45
02/20/36	-				194,246.50		132,311.14
08/20/36	634,000.00		2.71%		828,246.50		556,231.71
02/20/37	-				185,655.80		122,929.91
08/20/37	650,000.00		2.73%		835,655.80		545,543.51
02/20/38	-				176,783.30		113,787.91
08/20/38	667,000.00		2.76%		843,783.30		535,474.40
02/20/39	-				167,578.70		104,852.68
08/20/39	685,000.00		2.80%		852,578.70		525,954.40
02/20/40	-				157,988.70		96,093.18
08/20/40	702,000.00		2.85%		859,988.70		515,717.88
02/20/41	-				147,985.20		87,496.49
08/20/41	721,000.00		2.87%		868,985.20		506,567.88
02/20/42	-				137,638.85		79,107.78
08/20/42	739,000.00		2.89%		876,638.85		496,765.94
02/20/43	-				126,960.30		70,933.59
08/20/43	759,000.00		2.91%		885,960.30		488,035.25
02/20/44	-				115,916.85		62,955.90
08/20/44	778,000.00		2.93%		893,916.85		478,674.05
02/20/45	-				104,519.15		55,181.25
08/20/45	799,000.00		2.95%		903,519.15		470,311.88
02/20/46	-				92,733.90		47,592.66
08/20/46	819,000.00		2.96%		911,733.90		461,341.49
02/20/47	-				80,612.70		40,217.10
08/20/47	841,000.00		2.97%		921,612.70		453,323.98
02/20/48	-				68,123.85		33,037.89
08/20/48	863,000.00		2.98%		931,123.85		445,218.82
02/20/49	-				55,265.15		26,053.76
08/20/49	885,000.00		2.99%		940,265.15		437,041.06
02/20/50	-				42,034.40		19,263.25
08/20/50	908,000.00		3.00%		950,034.40		429,256.67
02/20/51	-				28,414.40		12,658.12
08/20/51	932,000.00		3.01%		960,414.40		421,834.62
02/20/52	-				14,387.80		6,230.61
08/20/52	956,000.00		3.01%		970,387.80		414,318.86
totals	-				10,129,837.86		-

* yields that equates PV of cash flows to \$-0-

2.851%

less discounts applied to the higher of the two yields:

base discount:

0.250%

MHI below average:

Avg residential cost:

resulting loan rate (min=1%):

2.601%

estimated savings: \$945,840**WAM:
17.8 years**

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2022-19

A RESOLUTION APPROVING THE MINNESOTA LAWFUL GAMBLING
LG214 PREMISES PERMIT APPLICATION OF
MORA TRAVELING BASEBALL ASSOCIATION

BE IT RESOLVED that the Minnesota Lawful Gambling LG214 Premises Permit Application of Mora Traveling Baseball Association to be used at Stone Creek Golf Course, 13050 65th Street NE, in the City of Foley is hereby approved.

The City hereby waives the 60-day waiting period to disapprove the license application of the Mora Traveling Baseball Association.

PASSED AND ADOPTED by the City Council of the City of Foley this 12th day of July, 2022.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, City Administrator

Downtown Foley

Proposed Façade Improvement Program

Purpose of a Façade Improvement program

- ▶ Provides Incentives to stimulate external, visible investment in downtown businesses.
- ▶ Incorporates surrounding community, aesthetics, environment, cultural and historical elements and architecture.
- ▶ Creates a cohesive, attractive environment
- ▶ Draws new business (spin off investment) and residents to the area
- ▶ Encourages tourism
- ▶ Increases property values
- ▶ Creates New Jobs
- ▶ Improves the marketability of space within the buildings

Surrounding Community Programs that are similar

► City of St. Cloud

- Proposed Grant program provides a 50% matching grant for actual design and construction costs up to \$10,000 per property on a pay-for-performance basis
- Design approval required by EDA
- Eligible Projects include: design of exterior building improvements, awnings, windows, doors (including front/back door accessibility) and/or site landscaping for publically visible improvement, and construction costs related to an approved improvement.
- Signs are not eligible for funding
- Ineligible properties include: tax delinquent, special assessment delinquent, property in litigation, property in condemnation or receivership, tax exempt property, exclusively residential buildings, industrial zoned properties, new construction projects on previously undeveloped sites
- Initial Allocation of \$100,000 from General Fund for this program

Surrounding Community Programs that are similar

► City of Hutchinson

- Dollar-for-dollar matching grant for property owners in the historic downtown area so they can make exterior improvements and generally improve the "curb appeal" of their property.
- Matching grants range from \$500 to \$7,500
- Applicants must provide a personal dollar-for-dollar match for the grant amount awarded.
- Only one grant per building will be awarded during any given 5-year period.
- Additions, new buildings, decks and playground equipment are not eligible.
- Eligible improvements must be viewable from the public right-of-way and may include windows & doors, painting & other façade improvements, exterior lighting and landscaping.
- Any improvements must be completed and inspected prior the disbursement of any grant funds.
- Work cannot commence until the grant is approved by the EDA Board of Directors and should be completed within 120 days, weather permitting.
- Invoices must be submitted in order to receive reimbursement.
- Original Source of Funding: Federal Community Development Block Grant - \$1.3 million

Surrounding Community Programs that are similar

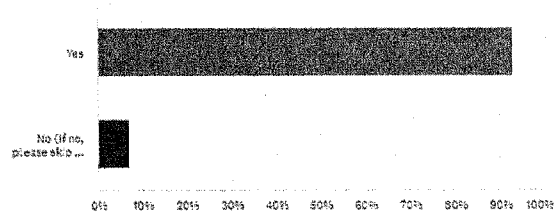
- ▶ City of Monticello
 - ▶ Pilot Program - (Two Block Area)
 - ▶ Offered by the Monticello Main Street Administrators and the City of Monticello - Monticello Main Street administers the program, city funds it
 - ▶ Stimulate Efforts to improve the street appearance of Monticello's commercial and business facades
 - ▶ Grants are not limited to just downtown businesses.
 - ▶ Grants are capped at \$3,000 and must be matched by applicants
 - ▶ First Come First Serve and limited to one application per business per fiscal year
 - ▶ Applications reviewed by a committee - must be reviewed and approved prior to commencement of project.
 - ▶ Property must be in Business Zone within City Limits
 - ▶ Applicant must be building owner
 - ▶ Grant monies must be used for street façade (visible from street) improvements, such as paint, lighting, window repair or replacement, masonry repair and appropriate signage.
 - ▶ Sidewalks, driveways, parking lot surfaces and striping do not qualify.
 - ▶ 1 Funded to date, Requires 2 Quotes from General Contractors (Lots of interest from the program)
 - ▶ \$250,000 Initial Allocation from General Fund

Downtown Listening Session and Business Owner Survey

- ▶ EDC Conducted Two Separate Listening Sessions with Downtown Stakeholders
 - ▶ November 16, 2021 at Foley City Hall from 6:00-7:00PM
 - ▶ March 23, 2022 at Foley City Hall from 12:00 -1:00PM
- ▶ EDC Conducted a Survey of Downtown Stakeholders
 - ▶ Opened May 23, 2022
 - ▶ Closed on June 3, 2022
 - ▶ 14 Downtown Stakeholders Participated

Are you committed to investing into your property in downtown Foley?

- Nearly 93% of Respondents Answered with a Yes

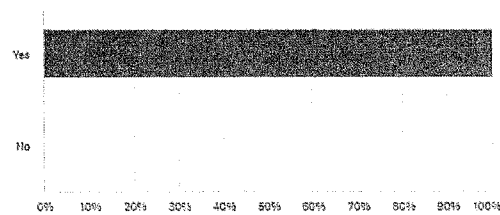


Types of Improvements Needed

- Roofing
- Signage
- Expansion
- Windows
- Exterior Paint/Repair
- Awnings
- Doors
- Façade/Curb Appeal
- Flooring
- Parking Lot Surfacing
- Relocation to new Industrial Park

Types of Improvements Needed

- ▶ Support for the creation of a grant program that would provide matching funds to make improvements to property
- ▶ 100% of Respondents Answered with a Yes



Desired Amount Needed

- ▶ Amounts varied from:
 - ▶ Any amount
 - ▶ At least \$2,500
 - ▶ No more than \$300,000
 - ▶ Unsure

Recommendation from Economic Development Committee

- ▶ Initial Funding Request of \$100,000
- ▶ Dollar to Dollar Matching Grants up to \$24,000
 - ▶ Requires no reporting by the state per MN Business Subsidy Law
- ▶ Easy, one or two page application
- ▶ Initial Review of Application by EDC followed by a recommendation to the EDA, then City Council to take final action
- ▶ Enable approximately Four Projects to be completed in the first year
- ▶ Visible Difference in Downtown



Downtown Stakeholder's Follow-up

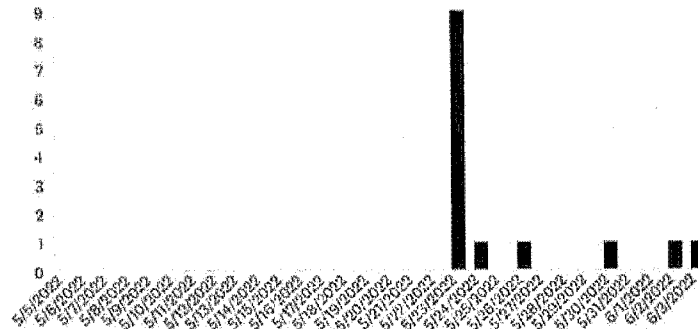
Here is a link to received responses so far.

[QUESTION SUMMARIES](#)
[DATA TRENDS](#)
[INDIVIDUAL RESPONSES](#)

Trends

Responses (by day)

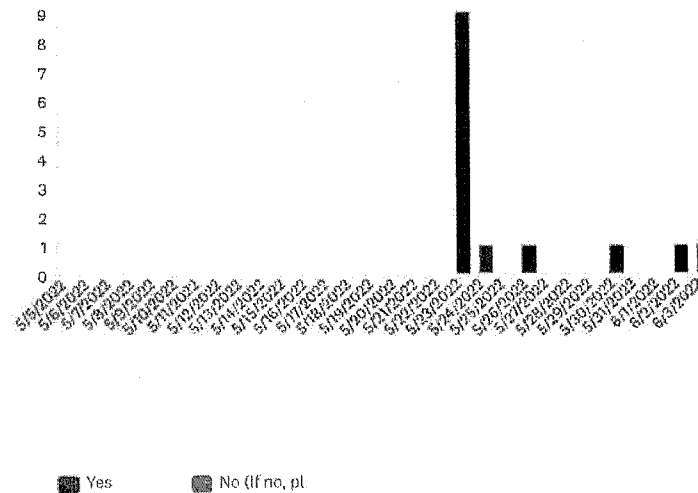
First: 5/23/2022 Zoom: 5/5/2022 to 6/3/2022



Q1 (by day)

Are you committed to investing into your property in downtown Foley?

Answered: 14 Skipped: 0 First: 5/23/2022 Zoom: 5/5/2022 to 6/3/2022


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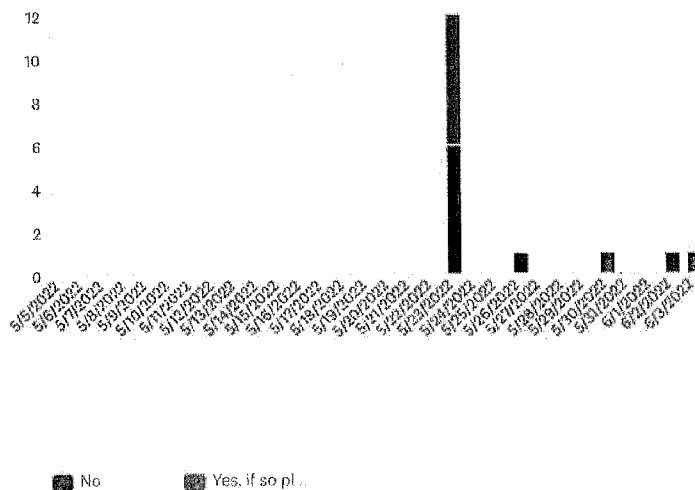
14 responses

Data Trends do not apply to this question

Q3 (by day)

Have you obtained cost estimates of the improvements to your property?

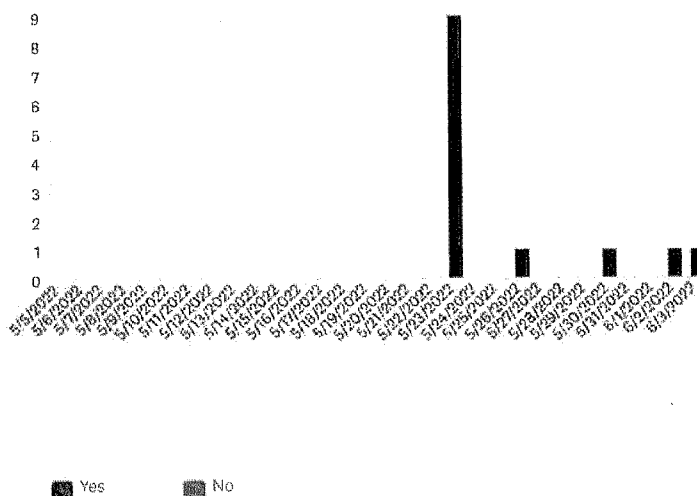
Answered: 13 Skipped: 1 First: 5/23/2022 Zoom: 5/5/2022 to 6/3/2022



Q4 (by day)

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Answered: 13 Skipped: 1 First: 5/23/2022 Zoom: 5/5/2022 to 6/3/2022



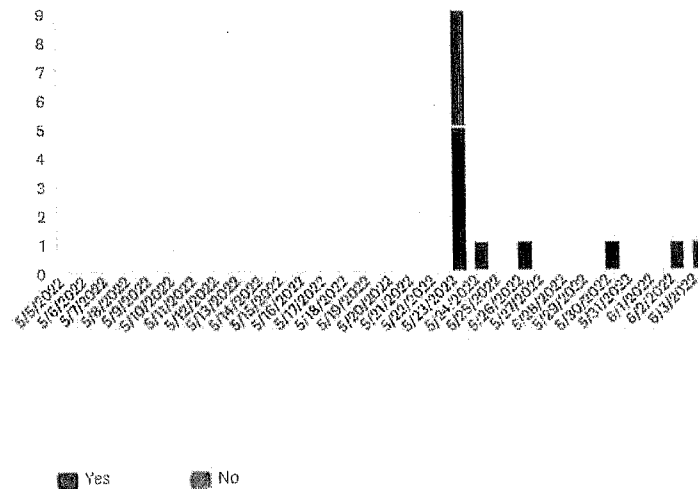
need to be for you to be interested in applying?

Data Trends do not apply to this question

Q6 (by day)

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

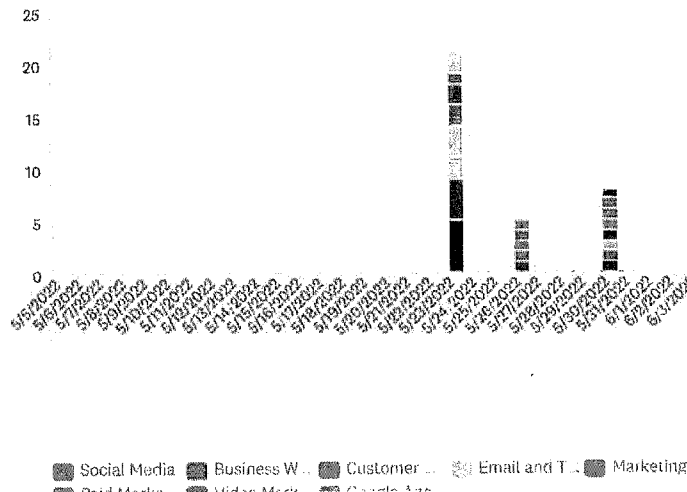
Answered: 14 Skipped: 0 First: 5/23/2022 Zoom: 5/5/2022 to 6/3/2022



Q7 (by day)

If so, which topics would you be interested in? Select all that apply.

Answered: 7 Skipped: 7 First: 5/23/2022 Zoom: 5/5/2022 to 6/3/2022



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14 responses



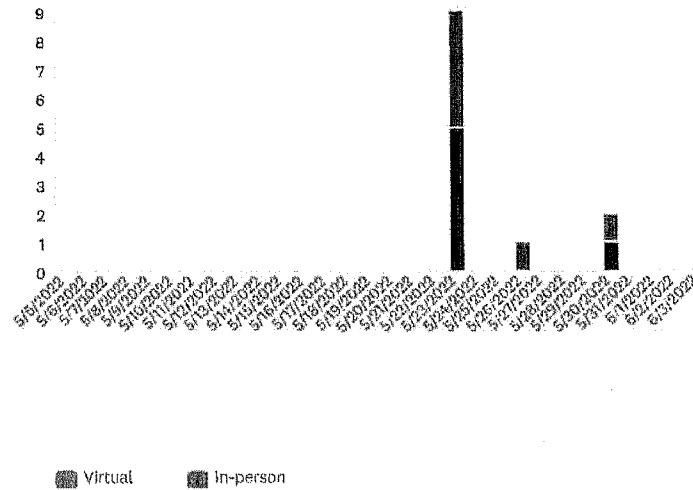
SIGN UP FREE



Q8 (by day)

Is there a certain medium of receiving training/education that you prefer?

Answered: 8 Skipped: 6 First: 5/23/2022 Zoom: 5/5/2022 to 6/3/2022



Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Data Trends do not apply to this question

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14 responses



Downtown Stakeholder's Follow-up

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[DATA TRENDS](#)
[INDIVIDUAL RESPONSES](#)

Respondent #1 ▾



COMPLETE

Started: Monday, May 23, 2022 8:56:42 AM

Last Modified: Monday, May 23, 2022 9:06:50 AM

Time Spent: 00:10:08

IP Address: 69.9.214.94

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

Roof, Cracks on the outside of building, new windows and doors, new flooring in food area, new shelf in freezer area, new shelving in food area, new sign so people know we are located.

Q3

Have you obtained cost estimates of the improvements to your property?

Yes, if so please provide brief detail. :

I'm the new director here at the Cross Center - Food Shelf so I've just started to get the word out for needs of repairs. I haven't received any estimates back at this time.

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

Maybe around \$2500 or more

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

Yes

Q7

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14 responses

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Business needs and design

Email and Text Marketing

Marketing Services

Q8

Is there a certain medium of receiving training/education that you prefer?

Virtual

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Like I said I'm new to the area and at this point I'm very open to learn what is out there to help the FOOD SHELF improve so more people in need can know about us. We're here to HELP all those in need for FOOD and CLOTHING.

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14 responses



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Downtown Stakeholder's Follow-up

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QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

Respondent #2 ▾



COMPLETE

Started: Monday, May 23, 2022 9:11:35 AM
Last Modified: Monday, May 23, 2022 9:13:10 AM
Time Spent: 00:01:34
IP Address: 208.87.237.201

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

Exterior renovations and curb appeal

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

\$25,000

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

Yes

Q7

If so, which topics would you be interested in? Select all that apply.

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14 responses

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Email and Text Marketing

Marketing Services

Paid Marketing: Google/Social

Video Marketing

Google Analytics

Q8

Is there a certain medium of receiving training/education that you prefer?

Virtual

In-person

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Respondent skipped this question

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14 responses



Downtown Stakeholder's Follow-up

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[QUESTION SUMMARIES](#)[DATA TRENDS](#)[INDIVIDUAL RESPONSES](#)

Respondent #3 ▾



COMPLETE

Started: Monday, May 23, 2022 9:15:22 AM**Last Modified:** Monday, May 23, 2022 9:16:22 AM**Time Spent:** 00:00:59**IP Address:** 174.199.75.57

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

Facade, windows.

Q3

Have you obtained cost estimates of the improvements to your property?

Yes, if so please provide brief detail. :

25000

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

10000-15000

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

No

Q7

If so, which topics would you be interested in? Select all that apply.

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14 responses

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Is there a certain medium of receiving training/education that you prefer?

In-person

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Respondent skipped this question

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API

14 responses



Downtown Stakeholder's Follow-up

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[QUESTION SUMMARIES](#)[DATA TRENDS](#)[INDIVIDUAL RESPONSES](#)

Respondent #4 ▾



Started: Monday, May 23, 2022 9:17:58 AM
Last Modified: Monday, May 23, 2022 9:20:32 AM
Time Spent: 00:02:33
IP Address: 24.220.21.6

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

I would add on to the back by the alley and redo the whole back garage and disposal area

Q3

Have you obtained cost estimates of the improvements to your property?

Yes, if so please provide brief detail. :
\$200,000

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

\$75k

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

Yes

Q7

If so, which topics would you be interested in? Select all that apply.

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Screen

14 responses



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Email and Text Marketing

Paid Marketing: Google/Social

Q8

Is there a certain medium of receiving training/education that you prefer?

Virtual

In-person

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Respondent skipped this question

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Report

Copy

14 responses



Downtown Stakeholder's Follow-up

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[QUESTION SUMMARIES](#)[DATA TRENDS](#)[INDIVIDUAL RESPONSES](#)

Respondent #5 ▾



COMPLETE

Started: Monday, May 23, 2022 10:03:58 AM**Last Modified:** Monday, May 23, 2022 10:05:16 AM**Time Spent:** 00:01:18**IP Address:** 71.37.13.221

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

New signage and repair stucco

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

any amount

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

Yes

Q7

If so, which topics would you be interested in? Select all that apply.

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14 responses

[SIGN UP FREE](#)**Q8**

Is there a certain medium of receiving training/education that you prefer?

Virtual

In-person

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Respondent skipped this question

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14 responses



Downtown Stakeholder's Follow-up

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QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

Respondent #6 ▾



COMPLETE

Started: Monday, May 23, 2022 11:06:49 AM
Last Modified: Monday, May 23, 2022 11:32:55 AM
Time Spent: 00:26:06
IP Address: 97.112.39.112

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

At the appropriate time: Staining street-side, painting back entry door, replacing portion of roof.

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

I think there should be a range (perhaps \$2,500 - \$15,000) so that it could meet the needs of various building owners. Personally, I would request about \$10,000.

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

No

Q7

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14 responses

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Is there a certain medium of receiving training/education that you prefer?

Respondent skipped this question

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Respondent skipped this question

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[Details](#)

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14 responses



Downtown Stakeholder's Follow-up

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[QUESTION SUMMARIES](#)[DATA TRENDS](#)[INDIVIDUAL RESPONSES](#)

Respondent #7 ▾

◀

▶

COMPLETE

Started: Monday, May 23, 2022 10:31:47 AM
Last Modified: Monday, May 23, 2022 11:56:29 AM
Time Spent: 01:24:41
IP Address: 208.107.246.218

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

relocate to an industrial park

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

75% grant, 25% owner

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

Yes

Q7

If so, which topics would you be interested in? Select all that apply.

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14 responses



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Virtual

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Respondent skipped this question

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14 responses



Downtown Stakeholder's Follow-up

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Respondent #8 ▾



COMPLETE

Started: Monday, May 23, 2022 2:51:19 PM
Last Modified: Monday, May 23, 2022 2:55:57 PM
Time Spent: 00:04:37
IP Address: 97.112.37.127

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

Repairing the roof and foundation cracking.

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

Not sure, would need estimates of repairs first.

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

No

Q7

If so, which topics would you be interested in? Select all that apply.

Share Link

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Respondent skipped this question

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

We have been remodeling our interior and painting the exterior at the present. It is my option that just cleaning up the streets and alley would make the town appear more alive.

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Downtown Stakeholder's Follow-up

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[QUESTION SUMMARIES](#)[DATA TRENDS](#)[INDIVIDUAL RESPONSES](#)

Respondent #9 ▾



COMPLETE

Started: Monday, May 23, 2022 3:03:01 PM
Last Modified: Monday, May 23, 2022 3:08:16 PM
Time Spent: 00:05:15
IP Address: 107.127.35.130

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

Cosmetic, structural upgrades due to age, Interior upgrades to facilitate ease of business

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

50% or more

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

No

Q7

If so, which topics would you be interested in? Select all that apply.

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Respondent skipped this question

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Parking

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Respondent skipped this question

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

My building is one of the newest buildings downtown and I will work to keep it looking good.

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QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

Respondent #10 ▾



COMPLETE

Started: Tuesday, May 24, 2022 7:06:35 AM
Last Modified: Tuesday, May 24, 2022 7:08:33 AM
Time Spent: 00:01:57
IP Address: 216.71.11.33

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

No (If no, please skip to Question 6)

Q2

If money was no object, what types of improvements would you make to your building?

Respondent skipped this question

Q3

Have you obtained cost estimates of the improvements to your property?

Respondent skipped this question

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Respondent skipped this question

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

Respondent skipped this question

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

No

Q7

If so, which topics would you be interested in? Select all that apply.

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14 responses



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Respondent #11 ▾



COMPLETE

Started: Thursday, May 26, 2022 4:15:14 PM
Last Modified: Thursday, May 26, 2022 4:22:56 PM
Time Spent: 00:07:42
IP Address: 147.219.190.135

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

find a solution for the roof overhang to avoid ice build up on sidewalk ,refurbish the clock hanging on bldg, repair the sandstone columns at the base, replace the store front windows and door.

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

any amount given

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

Yes

Q7

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14 responses



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Marketing Services

Paid Marketing: Google/Social

Video Marketing

Q8

Is there a certain medium of receiving training/education that you prefer?

In-person

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

trash removal to avoid multiple trash cans

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14 responses



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QUESTION SUMMARIES

DATA TRENDS

INDIVIDUAL RESPONSES

Respondent #12 ▾



Started: Monday, May 30, 2022 9:19:24 PM
Last Modified: Monday, May 30, 2022 10:30:07 PM
Time Spent: 01:10:42
IP Address: 174.20.140.71

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

Make the town look old and inviting. Need a antique shop

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

300,000 or less

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

Yes

Q7

If so, which topics would you be interested in? Select all that apply.

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14 responses



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Email and Text Marketing

Marketing Services

Paid Marketing: Google/Social

Video Marketing

Google Analytics

Q8

Is there a certain medium of receiving training/education that you prefer?

Virtual

In-person

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Welcoming arms, an business approach rather then governmental. The governmental approach is so different then how to make money. An advertising approach rather then a build it and they will come. Definitely doing things that deter growth is going to do exactly that. Business meetings that concentrated on growth held by business people that know how to make a buck and have to to get paid. Leaders that lead aka successful business people, Don't take this the wrong way but if you receive a pay check and only lose it because of what ever and you really don't have to make your pay check to receive one maybe you are not the person or people to tell business people how to. The down town has deteriorated and is not inviting. Most of the business's have moved. What was the common reason? And how can this be reversed? No entertainment, no food, no reason to shop. The legion is it. Even the theater is and has not been there for years. Sad as kid that saw a Friday night in foley. What is going on with the bank building timeless antique? My guess is that the foley drug is received complaints. What is the town doing to help out that new Keith's house? Once again rumors, stops, non helping plus add in some gossip and well let's see how much that helps grow down town. So in short support, business's meetings and advertising plus toss in some good Will and maybe it can be saved. I do hope so. Good luck and I mean that in a positive way. Let's make it rock and roll. Roll out the grants. TCB!

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Respondent #13 ▾



COMPLETE

Started: Thursday, June 02, 2022 11:31:04 AM**Last Modified:** Thursday, June 02, 2022 11:33:43 AM**Time Spent:** 00:02:39**IP Address:** 24.230.178.54

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

windows, brick work, asphalt parking lot

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

30-50%

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

No

Q7

If so, which topics would you be interested in? Select all that apply.

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14 responses



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Respondent skipped this question

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Respondent skipped this question

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Respondent #14 ▾



COMPLETE

Started: Friday, June 03, 2022 12:31:40 PM
Last Modified: Friday, June 03, 2022 12:34:07 PM
Time Spent: 00:02:27
IP Address: 209.181.196.157

Page 1

Q1

Are you committed to investing into your property in downtown Foley?

Yes

Q2

If money was no object, what types of improvements would you make to your building?

Shingles/steel roof, signage, expansion

Q3

Have you obtained cost estimates of the improvements to your property?

No

Q4

Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Yes

Q5

If you said yes to Q4, how much would the matching grant need to be for you to be interested in applying?

Unsure. \$5000+?

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

No

Q7

If so, which topics would you be interested in? Select all that apply.

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Respondent skipped this question

Q9

What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Respondent skipped this question

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14 responses



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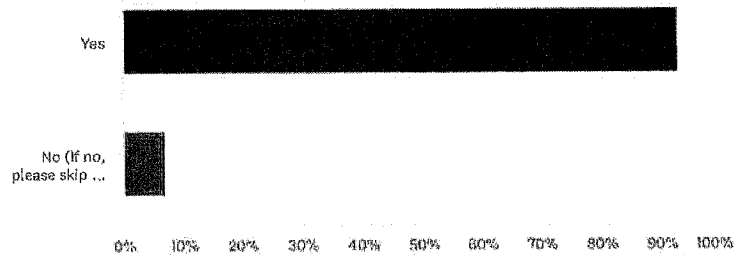
Here is a link to received responses so far.

[QUESTION SUMMARIES](#)
[DATA TRENDS](#)
[INDIVIDUAL RESPONSES](#)

Q1

Are you committed to investing into your property in downtown Foley?

Answered: 14 Skipped: 0



ANSWER CHOICES

Yes
No (If no, please skip to Question 6)
TOTAL

RESPONSES

92.86% 13
7.14% 1
14

Q2

If money was no object, what types of improvements would you make to your building?

Answered: 13 Skipped: 1

Shingles/steel roof, signage, expansion

6/3/2022 12:34 PM

windows, brick work, asphalt parking lot

6/2/2022 11:34 AM

Make the town look old and inviting. Need a antique shop

5/30/2022 10:30 PM

find a solution for the roof overhang to avoid ice build up on sidewalk ,refurbish the clock hanging on bldg, repair the sandstone columns at the base, replace the store front windows and door.

5/26/2022 4:23 PM

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14 responses

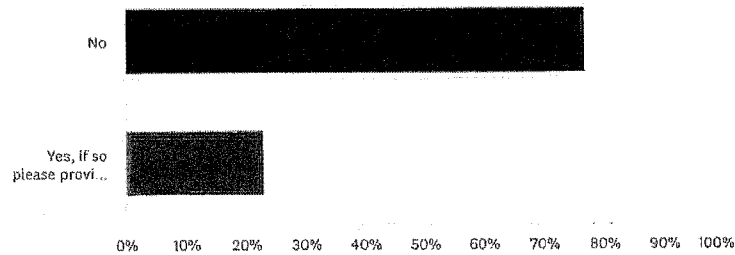


Q3



Have you obtained cost estimates of the improvements to your property?

Answered: 13 Skipped: 1



ANSWER CHOICES

RESPONSES

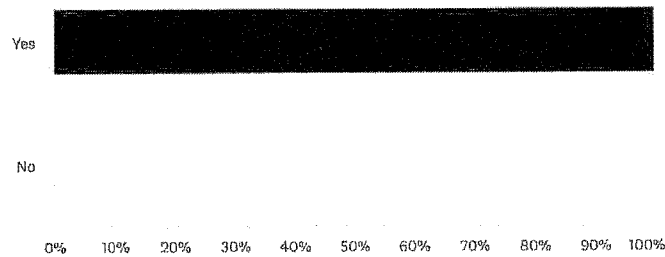
No		76.92%	10
Yes, if so please provide brief detail.	Responses	23.08%	3
TOTAL			13

Q4



Would you be supportive of the creation of a grant program that would provide matching funds to downtown building owners to make improvements to your property?

Answered: 13 Skipped: 1



ANSWER CHOICES

RESPONSES

Yes		100.00%	13
No		0.00%	0
TOTAL			13

SIGN UP FREE

Answered: 13 Skipped: 1

Unsure. \$5000+?

6/3/2022 12:34 PM

30-50%

6/2/2022 11:34 AM

300,000 or less

5/30/2022 10:30 PM

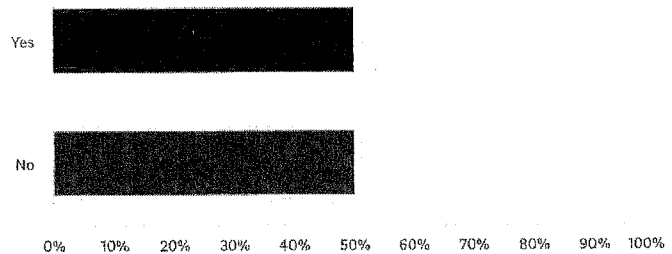
any amount given

5/26/2022 4:23 PM

Q6

Would you be interested in taking advantage of education/business training courses offered by the Small Business Development Center?

Answered: 14 Skipped: 0



ANSWER CHOICES

Yes

No

Total Respondents: 14

RESPONSES

50.00%

50.00%

Q7

If so, which topics would you be interested in? Select all that apply.

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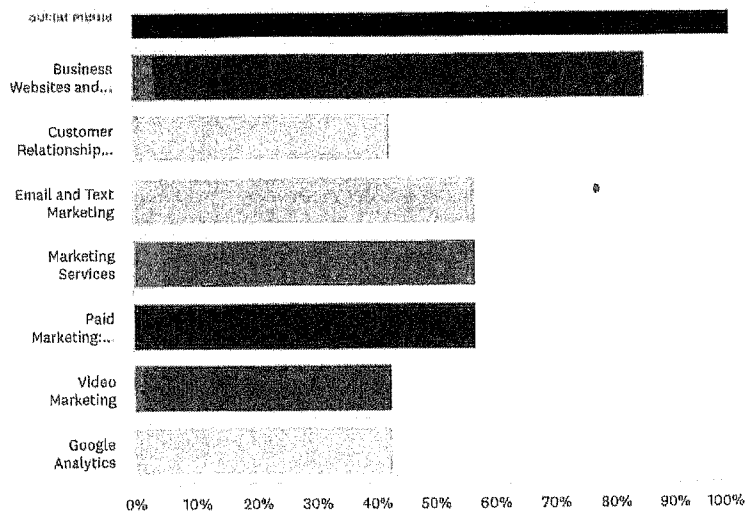
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Sign up

14 responses

SIGN UP FREE

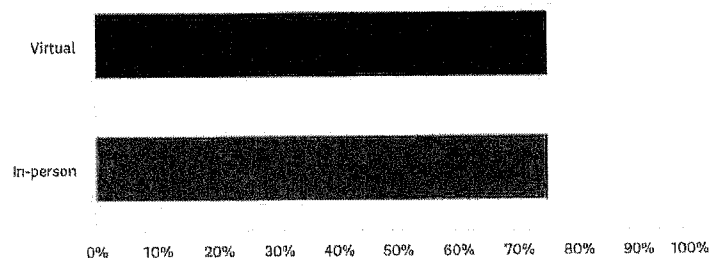


ANSWER CHOICES	RESPONSES	
Social Media	100.00%	7
Business Websites and Design	85.71%	6
Customer Relationship Management	42.86%	3
Email and Text Marketing	57.14%	4
Marketing Services	57.14%	4
Paid Marketing: Google/Social	57.14%	4
Video Marketing	42.86%	3
Google Analytics	42.86%	3
Total Respondents: 7		

Q8

Is there a certain medium of receiving training/education that you prefer?

Answered: 8 Skipped: 6



ANSWER CHOICES	RESPONSES	
Virtual	75.00%	6
In-person	75.00%	6
Total Respondents: 8		

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14 responses



What other programs would you be interested in to help you improve your property and invest in Downtown Foley?

Answered: 6 Skipped: 8

Welcoming arms, an business approach rather then governmental. The governmental approach is so different then how to make money. An advertising approach rather then a build it and they will come. Definitely doing things that deter growth is going to do exactly that. Business meetings that concentrated on growth held by business people that know how to make a buck and have to to get paid. Leaders that lead aka successful business people. Don't take this the wrong way but if you receive a pay check and only lose it because of what ever and you really don't have to make your pay check to receive one maybe you are not the person or people to tell business people how to. The down town has deteriorated and is not inviting. Most of the business's have moved. What was the common reason? And how can this be reversed? No entertainment, no food, no reason to shop. The legion is it. Even the theater is and has not been there for years. Sad as kid that saw a Friday night in foley. What is going on with the bank building timeless antique? My guess is that the foley drug is received complaints. What is the town doing to help out that new Keith's house? Once again rumors, stops, non helping plus add in some gossip and well let's see how much that helps grow down town. So in short support, business's meetings and advertising plus toss in some good Will and maybe it can be saved, I do hope so. Good luck and I mean that in a positive way. Let's make it rock and roll. Roll out the grants. TCB!

5/30/2022 10:30 PM

trash removal to avoid multiple trash cans

5/26/2022 4:23 PM

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- Each sprinkler system must be plumbed separately and will be required to install a separate meter in an interior location as approved by the city building official or public works department.
 - Estimated cost of approximately \$300 for the meter.
 - A separate shut-off valve must be provided for both meters.
 - Must apply for a plumbing permit.
 - Must be inspected by the building official or public works department prior to use.
 - Only hard plumbed sprinkler systems used for lawn irrigation are allowed this exception – does not apply to pools, gardens, car washing, etc.
- It is recommended that water rate charged to sprinklers be 20% higher than standard water rate due to it being treated water.
 - For 2022: .63/100 gallons is current water rate, sprinklers would be charged .76/100 gallons.
 - Rate would increase accordingly to city approved rate increases.
- Each account will be billed the minimum water charge each month (currently 2500 gallons) and any applicable service charges – regardless if using water or not. All excess usage will be billed at the sprinkler water rate.
 - Disconnects would only be allowed by paying the disconnection/reconnection fee.
- No sprinklers are allowed to operate between the hours of 11:00am-4:00pm.
 - The public works director reserves the right to issue watering bans and odd/even watering in the case of emergency – per city ordinance and water supply plan.
- If a property owner installs a lawn irrigation meter and decides to disconnect such irrigation meter permanently, they must follow a process determined by the Public Works Director to disable the 'T' in the line. Any irrigation meter that is turned off and remains off for over one year will also be subject to the same disabling requirements.

Section 1030 – Motor, Commercial Vehicle, R.V. and Trailer Storage and Parking

Section 1030:00. Purpose. The City Council finds that in order to preserve and protect the health, safety and welfare of the citizens of the City, it is desirable to reduce traffic congestion and facilitate easier and less dangerous passage of motor vehicles on city streets; to increase access for emergency services; to prevent conditions which are likely to create hazardous road conditions or impede or likely to impede the free movement of law enforcement, fire, health or other emergency traffic or citizens motor travel; and to preserve the character of the neighborhood of residential zoned districts.

The intent and purpose of this Ordinance is to establish regulations on the parking of Motor and Commercial Vehicles, Recreational Vehicles, Equipment and Utility Trailers on and within public rights-of-way.

Nothing contained herein shall be construed as exempting a Motor or Commercial Vehicle, Recreational Vehicle, Equipment or Utility Trailer from the application of federal, state, and local laws, rules, regulations and ordinances, including, but not limited to, licensing requirements, other parking and traffic regulations, laws and ordinances governing hazardous property and nuisances and Minnesota Statutes Chapter 168B – regulating junked, abandoned and unauthorized vehicles.

Section 1030:02. Application. All Motor and Commercial Vehicles, Semi-Trailers, Trailers, Trucks, Truck-Trailers, Recreational Vehicles, Equipment and Utility Trailers parked or stored, on or within a public right-of-way, or on private property, shall be subject to this Ordinance. Nothing in this Ordinance shall limit the number of or prohibit the parking and/or storage of any vehicle, equipment or trailer when fully enclosed within a garage or any other accessory storage building as allowed by Ordinance.

Section 1030:04. Definitions. For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein:

- A. Commercial Vehicle. Commercial vehicle shall be defined as all motor vehicles used for the transportation of passengers for hire, goods, wares, or merchandise, weighing 15,000 pounds gross vehicle weight, or more, with load, OR being more than twenty-two (22) feet in over-all length OR having more than two (2) axles. Notwithstanding the aforementioned, the term commercial (in general) shall be defined as, but not limited to; of or relating to commerce OR engaged in commerce, OR used primarily in the conduct of a business as opposed to private family or individual use, OR for the purpose of making a profit. Commercial vehicles may also be identified by signage on the unit. Provisions of this ordinance shall apply to vehicles such as, but not limited to: semi-trailers, truck-tractors, tanker-trucks, construction vehicles including backhoes, bobcats, bucket loaders, track vehicles, buses, garbage hauling trucks and dumpsters.
- B. Crosswalk. The term Crosswalk shall mean: (1) that portion of a roadway ordinarily included with the prolongation or connection of the lateral lines of sidewalks at intersections, or (2) any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- C. Driveway. Driveway shall mean the improved or unimproved place on private property that a vehicle would have to travel over in a direct path in order to enter a garage or carport, or to enter an exterior or interior side yard immediately adjacent to a garage or carport, from a designated entry/exit point on a public right-of-way.

- D. Driveway Approach. Driveway approach shall mean the area, construction or facility between the roadway of a public street and private property intended to provide access for vehicles from a roadway or a public street to private property. For clarification, a driveway approach must provide access to something definite on private property such as a parking area, a driveway, or a door intended and used for the entrance of vehicles.
- E. Intersection. Intersection shall mean the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two streets which join one another, at, or approximately at, right angles, or the area within which vehicle traveling upon different highways joining at any other angle may come in conflict.
- F. Motor Vehicle. A Motor Vehicle shall mean a device or piece of mechanized equipment for the purpose of transporting passengers, goods, or apparatus' that is propelled other than by muscular power.
- G. Parking Surface. A hard surfaced driveway, or surface area constructed of concrete, blacktop (asphalt) or a similar hard, durable, and dust-free permanent surface designed to properly drain surface water and prevent water drainage onto adjacent properties or walkways as regulated in the City of Foley Zoning Ordinance #319. Crushed granite or similar dust-free aggregate are only allowed as provided in Section 1030:12, Subdivision 3; gravel, and reclaimed or blacktop (asphalt) millings are prohibited.
 - 1.) A Parking Surface for parking or storage shall be located no closer than three (3) feet to a side lot line, or the required side yard setback, whichever is less.
- H. Recreational Vehicle. Recreational Vehicle (RV) shall mean that class of vehicles that are not for commercial use, but intended for recreational use, including, but not limited to: a motor home, travel trailer, camper shell, cab-over-camper, fifth wheel, tent and camping trailers, boats (whether mounted on a trailer or not), off-highway vehicles, all-terrain vehicles (ATV's), snowmobiles, sand/dune buggies, personal watercraft, lawn/garden tractors, golf carts, and go-carts.
- I. Routine / Routinely. A period of time exceeding 24 hours.
- J. Semi-Trailer. Semi-trailer shall be defined as a vehicle of the trailer type so designed and used in conjunction with a truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor and shall include a trailer drawn by a truck-tractor semi-trailer combination.
- K. Single-Axle Trailer: A trailer with one set of wheels. Includes all wheels whose centers may be included within two parallel transverse vertical planes 40 inches apart.
- L. Stored / Storage. Stored or Storage shall be defined as a means to put away or keep for use in the future. Any motor vehicle, equipment or trailer as defined in the Ordinance, maintained in approximately the same location, on the same site or property, for 24 hours or more shall be deemed stored.
- M. Tandem axle (Double-axel) Trailer: A trailer with two sets of wheels. Means two consecutive axels whose centers are spaced more than 40 inches and not more than 96 inches apart.
- N. Trailer. Trailer shall be defined as any vehicle designed for carrying property or passengers in its own structure and for being drawn by a motor vehicle but shall not

include a trailer drawn by a truck-tractor semi-trailer combination, or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached.

- O. Truck. Truck shall be defined as any motor vehicle designed and used for carrying things other than passengers, except pickup trucks and vans with a manufacturer's normal capacity of 1 ton or less and commonly known as a pickup truck.
- P. Truck-Tractor. Truck-tractor shall be defined as a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn, AND a motor vehicle designed and used primarily for drawing other vehicles used exclusively for transporting motor vehicles and capable of carrying motor vehicles on its own structure.
- Q. Utility Trailer. Utility trailer shall mean a non-motorized unit not defined as a recreational vehicle that has an axle and a frame that can be used to haul any type of material or equipment for recreational, non-commercial or agricultural purposes such as, but not limited to, boat trailers, horse trailers, trailers mounted with recreational vehicles such as a water craft or off-road vehicles, or implements of husbandry.
- R. Vehicle. For the purpose of this Ordinance, Vehicle shall refer to any of the aforementioned definitions including, but not limited to motor vehicle, commercial vehicle, semi-trailers, trailers, trucks, truck-tractors, RV's, equipment or utility trailers.
- S. Gravel. Gravel shall mean crushed limestone or other non-granite aggregate containing fine materials often referred to as "Class 5 Gravel," "Class 2 Buff Limestone," "Class 2 Red Limestone," or other typical road base materials.

Section 1030:06. Parking Regulations.

Subdivision 1. No public street, property, alley or right-of-way shall be used for the storage of Motor Vehicles, Commercial Vehicles, RV's, Equipment or Utility Trailers.

Subdivision 2. In no instance shall a Vehicle be parked or stored where any portion thereof blocks or overhangs the sidewalk, trail way, boulevard or curb within the public right-of-way.

Subdivision 3. A Vehicle shall not be parked or stored where such parking or storage constitutes a clear and demonstrable traffic hazard and/or threat to public health and safety such as obstruction of sight lines or flow of traffic.

Subdivision 4. A Vehicle shall not be parked within the vehicular travel portion, or driving lane, of any public or private street or roadway.

Subdivision 5. It is unlawful for any person to stop, stand, store or park a Vehicle in any of the following places, except when necessary to avoid conflict with other traffic, OR if in compliance with the specific directions of a traffic-control device or a person authorized under this code to direct traffic:

- a. in front of the access to a public or private driveway or trail way including the driveway apron, curb cut and/or curb return;
- b. within ten (10) feet of a fire hydrant or a mailbox;
- c. on any surface other than a Parking Surface as defined by City Ordinance;
- d. at any place where official signs prohibit or restrict stopping, parking or both;
- e. within ten (10) feet of any Intersection or Crosswalk.

Subdivision 6. All Trailers must be attached to the tow vehicle if parked on a public street. Any owner of a detached Trailer parked on the public street for any length of time will be subject to immediate citation and/or to the removal of the Trailer at the owner's expense.

Subdivision 7. When parked or stored within the City, Commercial Vehicles, Semi-Trailers, Trucks, Truck-Trailers, Motor Vehicles, RV's, Equipment or Utility Trailers shall be kept neat and clean at all times. Debris, excessive dirt, spider webs, weed accumulation on and under such units are prohibited at all times as are broken windows and flat tires. In no case shall any Vehicle be used as a storage unit. Any Vehicle parked or stored in violation of this ordinance or which constitutes nuisance or hazardous conditions shall be declared a nuisance and subject to abatement.

Subdivision 8. All covers, tarps or any other material employed to protect a stored Vehicle from the elements must be secured and be weatherproof. Rocks/bricks or other weighted items shall not be used to secure the weatherproofing cover.

Subdivision 9. In no instances shall any Vehicle be parked or stored in driveways or unenclosed areas visible to the public, including a Parking Surface as defined above, unless it is in a fully-operational condition bearing current registration (if licensing required by MN Department of Motor Vehicle or any other State authority for use).

Subdivision 10. At no time shall any Vehicle be parked and/or stored on a residential lot that has no principal structure, however, this subsection shall not apply if:

- a. said lot is adjacent to a lot on which there is an occupied residence; AND
- b. both lots are under common ownership; AND
- c. the Vehicle parked and/or stored on the vacant lot is owned by and license and/or registered to the occupant of the resident on said adjacent lot.

Section 1030:08. Commercial Vehicle Storage.

Subdivision 1. One Commercial Vehicle having a licensed gross vehicle weight over 15,000 pounds may be parked on private property in any residential zoned district provided it meets the following requirements:

- a. the owner or operator of the vehicle must reside on the property; AND
- b. the vehicle shall be parked on a hard surface driveway in compliance with the applicable zoning district requirements; AND
- c. the permitted vehicle shall be parked at least ten (10) feet from the front property line and five (5) feet from the side property line; AND
- d. noise from idling of the engine shall not exceed regulations of the existing noise ordinance. The vehicle's engine shall not be idled for more than thirty (30) minutes in any one (1) hour period. In no circumstance may the engine idle for more than two periods, lasting thirty (30) minutes each, in one twenty-four (24) hour period. For purposes of this section, idling shall mean running the vehicle engine for more than three (3) minutes. In no instance shall the vehicle's engine idle (3 minutes) in violation of this or any other ordinance between the hours of 10:30 p.m. and 7:00 a.m.

Section 1030:10. Recreational Vehicle Storage.

Subdivision 1. At no time shall any Vehicle be used for primary living or housekeeping purpose.

- a. Exceptions may be granted for travelers or out of town guests visiting with prior notification to the City Administrator for a period not to exceed seven (7) days.

Subdivision 2. Recreational vehicles shall be mobile and shall not be permanently affixed in the ground in a manner that would prevent removal.

Subdivision 3. Unmounted slide-in pickup campers shall be stored no higher than twenty (20) inches above the ground and shall be securely supported at all four (4) corners by solid support blocks or support mechanisms.

Subdivision 4. Except for routine maintenance or during emergency conditions when power supply is disrupted, the operation of a recreation vehicle generator plant shall not be permitted in residential districts. For the purpose of this subdivision, routine maintenance periods shall not exceed sixty (60) minutes per month.

Section 1030:12. Storage On Residential Lots.

Subdivision 1. No Motor or Commercial Vehicle, RV, Equipment, or Utility Trailer shall be routinely parked on an unsurfaced area, such as dirt or vegetation, in the front yard (or within the front yard setbacks) of residential lots.

Subdivision 2. Storage of Vehicles shall be limited to a garage or other permitted accessory structure, or designated driveway areas in the front yard of residential properties.

- a. The unenclosed parking and/or storage of Vehicles shall be limited to a total number of six (6) units parked upon the hard surfaced driveway or a Parking Surface as defined above, within the front of a residential lot.
- b. Notwithstanding the provisions of this section, Vehicles may be parked temporarily on an unsurfaced area of the front yard of a residential lot overnight as is necessary to comply with winter parking regulations from **November 1 to April 1** OR for a period not to exceed 24 hours, to load, unload, clean or repair the Vehicle year-round. At no time shall a vehicle be parked on public right-of-way as regulated by Section 1030:06.

- c. This subdivision shall not be construed to allow parking or storage of nuisance, junked or abandoned vehicles or units otherwise prohibited by any other ordinance or subdivision.

Subdivision 3. All Vehicles and Tandem Axel or Double Axel Trailers in the side yard shall be parked or stored on a Parking Surface as defined by this Ordinance. Utility trailers, single axle trailers, off-highway vehicles, all-terrain vehicles (ATV's), snowmobiles, sand/dune buggies, personal watercraft, lawn/garden tractors, golf carts, and go-carts parked in the side yard may be parked on unsurfaced areas in lieu of a Parking Surface, provided the area under and around the Trailer is maintained free of tall grass or weeds per City of Foley Zoning Ordinance 1145.

Subdivision 4. Utility trailers parked within a back yard shall comply with rear and side yard setback requirements applicable to accessory structures and shall be parked or stored on a Parking Surface as defined by this Ordinance and all other applicable ordinances.

- a. Single axle utility trailers and Non-Motorized Recreational Vehicles along with off-highway vehicles, all-terrain vehicles (ATV's), snowmobiles, sand/dune buggies, personal watercraft/lawn/garden tractors, golf carts, and go-carts may be parked in the back yard on unsurfaced areas in lieu of a Parking Surface, provided the area under and around the Trailer is maintained free of tall grass or weeds per City of Foley Zoning Ordinance 1145.

Subdivision 5. Vehicles stored on a property shall be subject to the height provisions of "Accessory Buildings" of the City of Foley Zoning Ordinance 319.

Section 1030:14. Exceptions.

Subdivision 1. The above provisions shall not apply to those Vehicles temporarily parked by the driver thereof, for the purpose of being loaded or unloaded while making actual deliveries of goods and merchandise; OR while engaged in construction, general repair, moving or other type of commercial work; OR parked for temporary maintenance or emergency repairs not to exceed 24 hours providing that such parking does not impair the regular flow of traffic or cause an undue safety concern.

Subdivision 2. The provisions of this Ordinance shall not apply to street construction, maintenance, and repair equipment trailers or vehicles used by the public service utility companies engaged in repairing or extending public service utilities.

Section 1030:16. Variance. Minor modifications or adjustments to this Ordinance may be administratively approved by the City Administrator by means of a Motor Vehicle Parking Variance where conditions such as, but not limited to, lot size, lot construction or improvements warrant a minor modification or adjustment. If the City Administrator cannot make such a determination, the matter may be appealed to the City's Planning Commission with the appropriate application for variance process and appeal fee filed. In no instance shall a modification or adjustment be made to the provisions of this Ordinance if it violates a safety concern/regulation of this or any other City Ordinance.

Section 1030:18. Enforcement and Penalty.

Subdivision 1. Notice of Violation. When a property owner permits or allows the parking and/or storage of a Vehicle to exist in violation of this Ordinance, the City Administrator, or Law Enforcement Officer, may serve notice upon said owner ordering the owner to remove the vehicle within five (5) days of the date of the notice. The notice shall state that in case of noncompliance

the City shall have the vehicle removed from the premises at the expense of the owner and that if unpaid, the charge for such towing will be made a special assessment against the property concerned. The notice shall also inform the property owner that the order may be appealed by filing a written notice of appeal with the City Administrator within the five (5) days of the date of notice.

Subdivision 2. Appeal. If an owner who received notice to remove a vehicle provided for by this Ordinance believes that the order has been wrongly issued, said owner may appeal the order by filing with the City Administrator a written notice of appeal within five (5) days of the date of the notice. Upon receipt of notice of an appeal the City Administrator shall place the matter on the next regular Council Agenda, when the matter will be heard by the City Council. The owner may present testimony and information to the Council, as may the City Administrator, City staff, and other concerned citizens. After due consideration, the City Council shall decide whether the order will stand. In the event the Council determines that the order is appropriate, the owner shall have three (3) days from the date of the Council's decision to comply with the order.

Subdivision 3. Failure to Comply. If an owner who has received an order under this Ordinance fails to comply within the applicable time frame, the City may remove the vehicle in violation of this ordinance from the premises. The City Administrator shall keep a record showing the cost of such.

Subdivision 4. Owner Responsible for Payment. In the event the City is required to take action to bring any property in compliance with this Ordinance, the owner of the property shall be responsible to pay all such costs and expenses incurred by the City (including costs and expenses associated with City Staff time). Upon determining such costs and expenses of the City, the owner of the property will be sent an invoice by regular mail (sent to the address shown on the property tax statement for the property). In the event the invoice is not paid in full within thirty (30) days of the date of mailing, the City Clerk may certify said expenses to the City Council for assessment against the property. Thereupon, said costs and expenses shall become a levied special assessment against the property to be paid in the following year together with the property taxes.

Section 1030:20. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 1030:22. Adherence To Any Other Ordinance. The parking and/or storage of any Vehicle within the City of Foley shall comply with all applicable requirements and/or provisions of this or any other existing City Ordinance including but not limited to the ordinances regulating noise, public nuisance, zoning, traffic and winter parking.

Section 1030:24. Effective Date. This Ordinance shall be effective upon its passage and publication.

Chapter X – TRAFFIC REGULATIONS of the 1974 Code of Ordinance was amended by Ordinance Number 416 adding Section 1030 Motor, Commercial Vehicle, R.V. and Trailer Storage and Parking, adopted May 6, 2014, published and effective May 13, 2014.

Chapter X – TRAFFIC REGULATIONS of the 1974 Code of Ordinance was amended by Ordinance Number 448 amending Section 1030:04 G, Parking Surfaces; Section 1030:04 added Q, Gravel; Section 1030:12 G, Subdivision 3 & 4, adopted April 7, 2020, published and effective April 14, 2020.



Foley Police Department

Calls for Service - 2022

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Driving Conduct	17	17	18	19	19	33	49						
Equipment Vio.	44	42	55	36	36	25	18						
Speed	13	16	21	51	51	53	59						
DWI/DUI	0	1	1	0	0	1	0						
DAR/S/C	3	1	3	2	2	5	2						
# Citations Issued	*5	*4	*8	*6	*6	*14	*17						
Accidents	2	3	3	3	3	2	2						
Hit and Run	1	0	0	0	0	1	0						
Gas Drive Offs	4	7	5	2	2	0	3						
Thefts	8	8	3	5	5	3	3						
Child	13	19	16	16	16	19	7						
Controlled Substance	1	3	4	1	1	1	2						
Suspicious Activity	41	21	28	36	36	25	47						
Burglaries/Robbery	0	1	0	0	0	1	1						
Medicals/Welfare	27	23	22	36	36	30	26						
Assaults/Domestic	1	7	4	5	5	3	5						
Harassment	6	4	2	6	6	5	4						
CDP/Vandalism	0	3	3	0	0	0	6						
Animal Complaints	2	3	4	4	4	12	11						
City Ordinance	4	7	4	4	4	34	16						
Parking Tickets	18	22	37	7	7	6	4						
Disturbing the Peace	4	2	6	6	6	3	10						
Gun Permits	4	1	3	5	5	1	1						
Warrant Arrests	1	1	1	1	1	1	0						
Civil	2	3	3	7	7	5	4						
Lockout	5	3	0	2	2	3	3						
Assist other Agencies	20	24	23	28	28	24	18						
Special Events	2	1	5	5	5	2	2						
Misc.	48	57	79	64	64	83	75						
TZD Hours	0 Hours	0 Hours	6 Hours	12 Hours	0 Hours	4 Hours	4 Hours						
Total:	291	300	353	351	381	378	378						

Misc Includes: Alarms, Extra Patrols, House watches, Matter of Info, etc.

KM18801

City of Foley Police Department

Law Enforcement Services Agreement

This Agreement is hereby made and entered into between **The Benton County Agricultural Society** (herein after referred to as First Party or Party) and the **City of Foley Police Department** (herein after referred as Office or Party). The purpose of this Agreement is to assist the First Party in providing the requested law enforcement services needed for special events and occurrences that take place within Benton County, Minnesota.

The effective date and duration of this agreement shall take effect on **August 2nd, 2022** and shall continue through **August 7th, 2022**.

The approximate times and number of personnel are: **(1) officer per day to assist with Safety and Security during the Benton County Fair, as scheduled by the Benton County Sheriff's Office Fair Commander.** The Agreement may be canceled at any time, with or without cause, by either Party upon notice to the other. In the event of cancellation of this Agreement, the First Party agrees to pay all costs for services provided to the point of cancellation and agrees to cease the operations of this event immediately.

The Office agrees to assign personnel, in consultation with the First Party, as deemed necessary and appropriate under the circumstance to provide law enforcement protection, to enforce peace and order, to enforce the laws of the State of Minnesota and to assist the First Party, in conformance with the rules, regulations and policies of the Office. The Office shall retain full authority to modify all personnel assignments as, in the judgment of the Police Chief or his / her designee, is necessary to meet any exigent circumstances within the City.

The First Party understands and agrees that the greater needs of the City, in the judgment of the Police Chief or his / her designee, shall have priority. It is further understood and agreed that if the Office does not have sufficient personnel to provide for any or all of the entire law enforcement requirements needed by the First Party and that the First Party will contract with other agencies, private or public, for additional security services. It is therefore expressly understood that the assistance contracted for by this Agreement shall be provided only if the Office can provide such assistance to the First Party without unduly jeopardizing the law and order of police protection of the City.

Nothing contained in this Agreement is intended or should be construed as creating the relationship of co-partners or joint venturers between the First Party and the Office or City of Foley. No tenure or any rights or benefits shall accrue from one party to the other under this Agreement.

The First Party understands that the City or the Office shall not in any way be liable for any claim based upon failure, for any reason, of the Office to provide assistance when requested by the First Party.

Each party agrees it will defend, indemnify and hold harmless the other, its officers, agents and employees against any and all liability, loss, costs, damages and expenses which either Party may herein after sustain, including but not limited to death, injury, or loss of equipment, which either party may incur or require either party pay any costs, damage, or expenses arising out of the other Party's performance or failure to adequately perform its obligations pursuant to this Agreement. This provision shall survive the termination to this Agreement. Nothing in the Agreement shall constitute a waiver of the statutory limits on liability set forth in Minnesota Statutes Chapter 466 or a waiver of any available immunities or defenses for the Office.

Each party shall be responsible for injuries or death of its own personnel. Each party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel. Each party waives the right to sue any other party for any workers' compensation benefits paid to its own employee or volunteer or their dependents, even if the injuries were caused wholly or partially by the negligence of any other party or its officer, employees, or volunteers.

During the performance of this Agreement, each Party agrees to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, sexual preference, creed or national origin be excluded from full employment rights or participation in, be denied the benefits of or otherwise subjected to discrimination under any applicable federal and state laws against discrimination.

In Consideration of the above, the First Party agrees to pay to the Office the costs incurred. The costs are related to the **City of Foley Police Department's** overtime rate of **\$75.00 per hour, per officer**. The First Party shall pay the Office for said costs, in full, within thirty (30) days of the receipt of the claim of said costs. In the event the Office is required to seek legal assistance to compel payment under this Agreement, the First Party agrees to pay all of the Office's legal expenses, including attorney's fees, costs and disbursements.

By signing below, each Party hereby represents and affirms that he/she understands and agrees to the terms of this Agreement and has the authority to enter into this Agreement.

For the First Party:

For the Office:

Chief Katie McMillin
Foley Police Chief
251 4th Avenue North
Foley, MN 56329
(320) 968-0800 / fax: (320) 968-0801



RINKE NOONAN
attorneys at law

July 8, 2022

Direct Dial: 320-257-3862
Abukowski@RinkeNoonan.com

City of Foley
c/o Chief Katie McMillin
251 – 4th Avenue North
Foley, MN 56329

Benton County Agricultural Society
P.O. Box 118
Sauk Rapids, MN 56379

SENT VIA EMAIL ONLY TO:
KMcMillin@ci.foley.mn.us

SENT VIA EMAIL ONLY TO:
BENTONFAIR@AOL.COM

**Re: Police Services Contract Between the Foley Police Department and the Benton
County Agricultural Society
Our File Nos. 04313-0215 and 00043-0015**

Dear Foley Police Department and Benton County Agricultural Society:

This is a follow up letter regarding the telephone conversation we previously had, where a conflict between Rinke Noonan, the Foley Police Department, and the Benton County Agricultural Society was disclosed. Foley Police Department has asked Rinke Noonan to review the service contract between the Foley Police Department and the Benton County Agricultural Society for the term of the Benton County Fair. Rinke Noonan represents both the Foley Police Department and the Benton County Agricultural Society.

With regard to the service contract, we will be representing the Foley Police Department. During this representation, we may be asked and would continue to represent the Benton County Agricultural Society on other matters unrelated to the work done for the Foley Police Department and not adverse to such work.

Professional responsibility rules require a law firm to obtain client consents before representing one client on a matter which is adverse to another client, even if those representations are on unrelated subject matters. In asking for these consents, we assure you:

1. We will not use confidential client information in any way to either client's disadvantage; and

Suite 300 US Bank Plaza
1015 W. St. Germain St.
P.O. Box 1497
St. Cloud, MN 56302
320.251.6700

www.rinkenoonan.com

[4744312] Letter Waiver of Conflicts - Foley P.D. and Fair Board
6/30/2022 9:50 AM

July 8, 2022

Page 2

2. That we will be able to fully and properly represent Foley Police Department and Benton County Agricultural Society on their separate matters without our representation of either client being affected by our representation of the other.

The purpose of this letter is to obtain consent and waiver for our representation of the Foley Police Department and Benton County Agricultural Society. Please be aware, however, that if a contentious dispute or threat of litigation were to arise between Foley Police Department and Benton County Agricultural Society during our representation of Foley Police Department with respect to the service agreement, we would not be able to represent either party as to the service agreement. Both parties would need to seek their own legal counsel regarding the dispute or litigation with regard to the service agreement.

It is my understanding, that both the Foley Police Department and Benton County Agricultural Society acknowledge and consent to our representation of the Foley Police Department regarding the service agreement. Please confirm that consent, as well as your consent to the other continued unrelated, representations of both parties by signing this letter and returning it to me as soon as possible. Thank you.

Sincerely,

/s/ Ashley S. Bukowski

Ashley S. Bukowski

ASH/mjr

Date: 7-8-2022

Date: _____

Foley Police Department

Benton County Agricultural Society

By Katie McMillin
Its Chief of Police

By _____
Its _____

Minnesota Department Of Transportation

Report Printed Date: 6/14/2022

Contract: 220034

Change Order No.: 0002

Net Change Order Amount: \$10,492.72

Prime Contractor: Michels Road & Stone, Inc. 0001094374

Spec Book Year: 20

CO Type: CO Level2

Awarded Contract Amount: \$18,153,695.50

Funding Source: SLFO

State Proj. No.: 0504-20

Resident Engineer: Jeffrey Eggert

Fed. Proj. No.: 0504-20 / HSIP-TA 0522(110)

Admin Office: 38-St.Cloud

District: 3 Baxter

County: C005 BENTON

Route:

Reason: 1402.1 Alt of Work L

Location: LOCATED ON T.H. 23 FROM BROADWAY AVE SOUTH TO RUM RIVER.

Description: LOCATED ON T.H. 23 FROM BROADWAY AVE SOUTH TO RUM RIVER.

Explanation:

Issue

The contract calls for Handholes to be installed with Non Metal Conduit for use by the City of Foley. The City plans to install Fiber optic lines in the NMC at a future date.

Resolution

The handholes called for by the plan will not support Fiber Optic lines. The Engineer, after consulting with the City of Foley's Engineer, has determined that the handholes called for in that area be eliminated and replaced by Fiber Optic Splice vaults.

Entitlement

The Engineer has determined that the contract shall be revised in accordance with section 1402.1 Alteration of the work of the Standard Specifications.

Impact

There is no impact to contract time associated with this CO.

Cost

All costs have been approved by the Engineer.

Payment

Payment will be made as shown in the estimate of cost.

Increases/Decreases

Item Description	Quantity	Unit	Original	Change	Amount
HANDHOLE	2545902/23020	3910	1055	131796	0005
			Original	-16,000	EACH
					\$2,334.83
					-\$37,357.28
					Total: -\$37,357.28

Contract: 220034

Change Order No.: 0002

Page 1 of 3

Minnesota Department of Transportation

Report Printed Date: 6/14/2022

New Items

Item Description	Unit	Quantity	Unit Price	Total Price	Original Price	Change	Adjusted Price	Adjusted Total
CO#2 10% Prime Markup - CHANGE ORDER DOLLAR	Neg	4110	1455	131796	0005 - SP 0504-20 (E) 100% CITY OF FOLEY FUNDS SEE AGREEMENT #1047272.	5.000	DOL	\$870.00
CO#2-Splice Fiber Optic Vaults - FIBEROPTIC SPLICE VAULT	Neg	4080	1440	131796	0005 - SP 0504-20 (E) 100% CITY OF FOLEY FUNDS SEE AGREEMENT #1047272.	5.000	EACH	\$8,700.00
Total:								\$47,850.00

Time Adjustments

Item Description	Unit	Quantity	Unit Price	Total Price	Original Price	Change	Adjusted Price	Adjusted Total
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Project/Category Summary

Project/Category	Original Price	Change	Adjusted Price	Adjusted Total
GRADING, BITUMINOUS MILLING & SURFACING, ROUNDABOUT, LIGHTING, ADA IMPROVEMENTS, AND BRIDGE #05X01 & #05X06, Payroll Project ID & Wage Decisions for all work performed Benton County.	131796	0005 - SP 0504-20 (E) 100% CITY OF FOLEY FUNDS SEE AGREEMENT #1047272.	\$10,492.72	\$10,492.72

Net Change Order Amount: \$10,492.72

Minnesota Department Of Transportation

Report Printed Date: 6/14/2022

Signature & Date	
Project Engineer/Project Supervisor	Robert Abfalter Digitally signed by Robert Abfalter Date: 2022.06.22 10:46:06 -05'00'
Contractor	
Commissioner of Transportation Pursuant to Delegation	6/29/22
Commissioner of Administration Pursuant to Delegation	
Consultant Contract Administrator (recommendation for Approval only)	
Local Agency (if funded wholly or in part by Local Agency)	

ATTACHMENTS: By signing this agreement, the Contractor acknowledges receipt of the specified attachments (if applicable)

TO: FOLEY CITY COUNCIL
FROM: SARAH BRUNN, CITY ADMINISTRATOR
SUBJECT: 07-12-22 -COUNCIL MEETING
DATE: JULY 11, 2022

Consent Agenda

The SRO contract is on the consent agenda. This has already been approved by the school board and upon approval would be incorporated into the 2023 budget. The new terms of the union contract were also incorporated into the new agreement which is why we waited for approval until now. There are no major changes except the wage rates and items of the union contract. As a reminder, we split the costs of the SRO officer 50/50 with the school.

We finally were able to get information from Dollar General and their tobacco license is being recommended for approval.

Liquor License Public Hearing

Danny B's applied late which is why the public hearing was not included with the rest of the license renewals. They are a new applicant applying for a wine/strong beer license. This license also requires a sign-off from the state which staff will submit for once the council approves.

Wastewater Regionalization Project – Pay Application & Financing

We have received a pay application request for the project and Jared Voge will be at the meeting to present that and answer any questions. I was hoping to have final loan agreements back but I still have not received that information from the state. Our hands are tied as this process must run through the state and bond counsel for approval before the city council can consider it. The good news is we finally did qualify for a 30-year loan (draft amortization included in packet) with the increase in loan amount and that helps considerably with the annual payments required. There are a few different options I'm checking into in the instance the PSIG does not come through and will discuss that with the council further at the meeting. I also included the resolution for the council to consider regarding rate increases with the new projected loan amount.

Stone Creek Premises Permit

There is a request for a gambling permit on the council agenda for Stone Creek. There was a typo in the first resolution but a corrected resolution has been emailed out.

Economic Development Committee – Thriving Communities – Downtown Presentation

The ED Committee will present findings from a downtown survey and meetings that were done. They will also be presenting a request for the development of a façade improvement program and desire funding to be incorporated into the 2023 budget. The council does not need to make a final decision yet on this item at the meeting– we can work through the funding item as part of the budget process if the council would like to consider the development of this type of program. The ED committee and EDA can also assist with the development of the program requirements. The intent is to keep the program simple and easily administered internally.

Discussion on removing sprinkler charges

Staff has provided recommended items to include in any ordinance revisions for council discussion. Legal will also be at the meeting to discuss any enforcement options. If the council wishes to proceed with ordinance revisions allowing for this, staff would recommend we come up with some type of legal enforcement and the attorney can help provide guidance on what would be best.

Parking & Storage Ordinance

Additional revisions to the ordinance have been provided for discussion. Staff is struggling with how this item should move ahead as there seems to be many differing opinions among various council and staff members.

Benton County Fair – Police Coverage Contract

Chief McMillin has provided a contract for providing officers for the Benton County Fair. There are issues with getting enough coverage for this event and we may be able to help some. Chief McMillin can provide more detail on this item at the meeting.

Hwy 23 Project – Change Order #2 & Reduction of Work Compensation

The city engineer can overview change order # 2 (in your packet) and also any update we have on the reduction of work compensation.

2023 Budget

Staff has started preparation for the 2023 budget. Adjusting the sewer rates is an item we are looking closely at. One item that has come up with our discussions with MN Rural Water are adjusting how we charge minimums for housing units – particularly apartment units and trailer parks. They currently are treated as one minimum and then pay based on usage. We are looking at a minimum charge for each unit of the building or location. I'll be asking the council at the meeting if they have any concerns with moving forward with this in 2023 and staff will come back with more info during the budget process.

45 Highway 23 West – Conditional Use Permit (CUP)

Work continues on achieving compliance with the CUP. I have spoken to the property owner who has indicated materials are being moved inside or behind the building (out of view) and they are hoping to have everything put back together in the next couple weeks.

Pool “No Refund” Policy

I've been requested by a councilmember to add this item to the agenda.

Closed Session – Herbst Option Agreement

Staff will provide an update to the council on this item at the meeting.

Upcoming Reminders:

August 2-16, 2022 – Mayor/Councilmember Filings Open

August 2, 2022 – Council Meeting

August 9, 2022 – Primary Election

August 16, 2022 – Budget Workshop

TO: FOLEY CITY COUNCIL
FROM: SARAH BRUNN, CITY ADMINISTRATOR
SUBJECT: 07-12-22 –COUNCIL MEETING
DATE: JULY 11, 2022

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There is a request for a gambling permit on the council agenda for Stone Creek. There was a typo in the first resolution but a corrected resolution has been emailed out.

Economic Development Committee – Thriving Communities – Downtown Presentation

The ED Committee will present findings from a downtown survey and meetings that were done. They will also be presenting a request for the development of a façade improvement program and desire funding to be incorporated into the 2023 budget. The council does not need to make a final decision yet on this item at the meeting– we can work through the funding item as part of the budget process if the council would like to consider the development of this type of program. The ED committee and EDA can also assist with the development of the program requirements. The intent is to keep the program simple and easily administered internally.

Discussion on removing sprinkler charges

Staff has provided recommended items to include in any ordinance revisions for council discussion. Legal will also be at the meeting to discuss any enforcement options. If the council wishes to proceed with ordinance revisions allowing for this, staff would recommend we come up with some type of legal enforcement and the attorney can help provide guidance on what would be best.

Parking & Storage Ordinance

Additional revisions to the ordinance have been provided for discussion. Staff is struggling with how this item should move ahead as there seems to be many differing opinions among various council and staff members.

Benton County Fair – Police Coverage Contract

Chief McMillin has provided a contract for providing officers for the Benton County Fair. There are issues with getting enough coverage for this event and we may be able to help some. Chief McMillin can provide more detail on this item at the meeting.

Hwy 23 Project – Change Order #2 & Reduction of Work Compensation

The city engineer can overview change order # 2 (in your packet) and also any update we have on the reduction of work compensation.

2023 Budget

Staff has started preparation for the 2023 budget. Adjusting the sewer rates is an item we are looking closely at. One item that has come up with our discussions with MN Rural Water are adjusting how we charge minimums for housing units – particularly apartment units and trailer parks. They currently are treated as one minimum and then pay based on usage. We are looking at a minimum charge for each unit of the building or location. I'll be asking the council at the meeting if they have any concerns with moving forward with this in 2023 and staff will come back with more info during the budget process.

45 Highway 23 West – Conditional Use Permit (CUP)

Work continues on achieving compliance with the CUP. I have spoken to the property owner who has indicated materials are being moved inside or behind the building (out of view) and they are hoping to have everything put back together in the next couple weeks.

Pool “No Refund” Policy

I've been requested by a councilmember to add this item to the agenda.

Closed Session – Herbst Option Agreement

Staff will provide an update to the council on this item at the meeting.

Upcoming Reminders:

August 2-16, 2022 – Mayor/Councilmember Filings Open

August 2, 2022 – Council Meeting

August 9, 2022 – Primary Election

August 16, 2022 – Budget Workshop