

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – October 4, 2022

The Foley City Council held their regular meeting on Oct. 4, 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.

The mayor addressed the audience and directed people who wished to speak during the Mayor's Open Forum to please use the sign-up sheet in the back with their name and address. He also reminded the audience that the meeting is conducted using Robert's Rules of Order, meaning that no one in attendance is allowed to speak unless acknowledged by the mayor.

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

Motion carried, unanimous.

Sarah Brunn addressed the council saying she would like to note on the consent agenda amendments to the contract for deed and the changes to the acreage. The server was down at City Hall, but staff will get the amendments uploaded to the website. They are included in the council packet.

Motion by Gondeck, seconded by Musachio, to approve the consent agenda.

Consent Agenda:

- Approve minutes of September 6, 2022.
- Accept resignation of firefighter Dakota McIver.
- Adopt Resolution #2022-24 Urging MN Special Session to Pass a Bonding Bill.
- Adopt Resolution #2022-25 Accepting Donation.
- Approve updated Industrial Park land purchase agreements.
  - First Amendment to Contract for Deed.
  - Memorandum of Agreements.
  - First Amendment to Option Agreement.
- Approve Updated Police Policy – Allegations to Misconduct Model Policy and Professional Conduct of Peace Officers Model Policy
- Approve payment of bills.

Motion carried, unanimous.

**Wastewater Regionalization Project**

Jared Voge from Bolton & Menk gave an update on the wastewater project. The project is moving forward with 31% of the overall project now complete. The project is going well with crews crossing Hwy 23 and continuing to move toward County Road 51. Crews are working on multiple items. Drillers are in town along Hwy 25. He recommended payment of Pay Application Request #4 of \$970,955.10.

Motion by Gondeck, seconded by Musachio, to approve Pay Application Request #4.

Motion carried, unanimous.

### **2022 State Senate and Representative Candidates**

No candidates were in attendance.

### **Parking & Storage Ordinance Update**

Brunn directed the council to the updated Parking and Storage ordinance in their packets. A draft ordinance was also posted online. Gondeck addressed the council stating that the ordinance was brought back for discussion again stating that he believes responsible people can do responsible things and that the choice should be given back to the residents.

Discussion and questions followed.

Motion by Gondeck, seconded by Bettendorf, to approve the revisions to the Parking & Storage ordinance.

Motion carried, unanimous.

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

Debra Olson, 600 Dewey Street, addressed the council regarding her concerns of freedom of speech during the council meetings. She said she had originally asked to be on the agenda to discuss Roberts Rules of Order. The printed copy of Olson's and Brunn's email correspondence was distributed to the council. The email showed the city administrator had responded to Olson's question about the meeting rules and asked if Olson still wished to be included on the agenda. Olson did not reply to the administrator to confirm if she wished to be on the agenda. Olson stated to the council that the rules of the meeting allowed the audience to raise their hands and ask questions or make comments as long as they were recognized by the mayor.

### **Departmental Reports**

#### **Foley Police Department**

Chief Katie McMillian gave an overview of the September crime stat report. There were a total of 366 calls for service in September, including driving conduct, stop sign violations, and no valid driver's license. Child calls were up with school back in session. McMillin also reminded the council that Winter Parking Enforcement will begin on Nov. 1. Reminders have been posted online through the city's social media and web page and will also appear in the Benton County News. Halloween Safety at school will be on Oct. 31. The post board audit will be on Oct. 20. The audit is scheduled every five years.

#### **City Engineer**

Jarod Griffith gave an overview of the Hwy 23 project. Broadway Avenue is now open to through traffic. Crews are currently wrapping up the storm sewer and drain tile between Broadway and 8<sup>th</sup>. We should see curb by the end of the week. Early next week crews will do the realignment of the storm sewer between 8<sup>th</sup> and 9<sup>th</sup>.

Discussion and questions followed.

Griffith added that if it gets too cold for sidewalks and trails to be installed then that portion of the project will be pushed to next year. Both are still planned for this year.

Griffith also updated the council on the industrial park wetlands. Staff submitted the delineation report to the county. They have until Oct. 13 to reply.

Discussion and questions followed.

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

Mark Pappenfus gave an overview of items to the council. The sweeper that was purchased arrived and will be used this fall. The crew has been doing a lot of jetting, which will last another 2-3 weeks. Flushing will be done through October. Some of the overlays on the trails and basketball court are done. The Fire Department's open house will be this Saturday at 11 a.m. Staff is also looking into funding to create a pickle ball court on the tennis courts. Estimating the project would cost \$80,000 - \$100,000.

### **Administration**

Sarah Brunn gave an overview to the council. Staff is still waiting on more information on health insurance numbers. Numbers typically reflect inflation so staff is expecting a double-digit increase. Brunn encouraged the council to ask questions if there are other budget items they would want to discuss. Tax statements will go out to the public from Benton County. Brunn reminded the council that the percentage can be lowered if they wish when the budget is finalized in December.

Brunn gave an overview of how the city might set new water/sewer minimums for multi-unit dwellings (apartment buildings and trailer parks). Staff ran some rough numbers. The minimum number of gallons might not stay the same for these units. Letters would be sent to these property owners based on whatever the council decides. When the council approves the fee schedule, letters will be sent to building owners.

Discussion and questions followed.

### **Old Business**

There was no old business.

### **New Business**

Gondeck stated that he would be attending the Northland Reliability Project meeting on Oct. 18. Brunn added she would post that there could be a possible quorum that day.

Gondeck also stated that he'd been approached by several residents about the possibility of turning the intersection at 4<sup>th</sup> Avenue North and Dewey Street into a permanent four-way stop.

Brunn explained that since Dewey Street is a county road that Benton County would have to agree to it. The request has been made before and was denied.

Swanson asked if a stop sign could be placed at the corner on Norman Avenue by the school. Brunn explained that there is a process that would need to be followed. There are a number of steps and a cost is involved.

Discussion and questions followed.

Motion by Gondeck, seconded by Musachio, to adjourn.

Motion carried, unanimous.

Meeting adjourned at 6:08 p.m.

*Sarah A. Brunn*

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