



**City Council – Meeting Agenda
November 15, 2022 – 5:30 P.M. – Foley City Hall**

*****PLEASE NOTE LOCATION CHANGE***** meeting will be held at the Fire Hall: 81 Norman Ave S
do to the Library carpet installation

1. Call the meeting to order.
2. Pledge of Allegiance.
3. Approve the agenda.
4. Consent Agenda:
 - Approve payment of connection fee to City of St. Cloud – as required per agreement.
 - Approve serving notice to Gilmanton Township of intent to annex new industrial park property following Joint Planning Board review.
 - Adopt Resolution #2022-28 Accepting Donation.
5. Canvass 2022 Election Results
 - Adopt Resolution #2022-29 Canvassing Election Results.
6. Bradley Peterson – Coalition of Greater MN Cities.
7. Mayor’s Comments & Open Forum
8. Department Reports:
 - Police Department –Katie McMillin
 - Public Works/Fire – Mark Pappenfus
 - Administration – Sarah Brunn
 - 2023 Budget Update
9. Old Business
10. New Business
11. Adjourn

INVOICE



Cashier - City of St Cloud
1201 7th Street South
St. Cloud, MN 56301-7516

TO: CITY OF FOLEY
PO BOX 709
FOLEY, MN 56329

Customer Number: V0001820
Invoice Number: AR026985
Invoice Date: 11/07/2022
Due Date: DUE UPON RECEIPT

Description	Amount
CONNECT FEE TO ST CLOUD SYSTEM	7,364,929.00
POOL CAPACITY REIMBURSEMENT: \$3,133,517	
REMAINING TREATMENT SYSTEM ACCESS CHARGE: \$2,363,901	
WASTEWATER CONVEYANCE SYSTEM ACCESS CHARGE: \$1,867,511	

Sub-Total	\$7,364,929.00
State Tax	0.00
Local Tax	0.00
County Tax	0.00
Food & Beverage	0.00
Liquor Tax	0.00
Solid Waste	0.00
Invoice Total	7,364,929.00

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT



Cashier - City of St Cloud
1201 7th Street South
St. Cloud, MN 56301-7516

CITY OF FOLEY
PO BOX 709
FOLEY, MN 56329

Customer Number: V0001820
Invoice Number: AR026985
Invoice Date: 11/07/2022
Due Date: DUE UPON RECEIPT
Total Amount Due: \$7,364,929.0

Total Payment: \$ _____

Mail check, money order or cashier's check payable to the "City of St. Cloud".
Mastercard, Visa, or Discover accepted by phone or in person at City Hall.
(320) 650-3374



June 6, 2022

Ms. Sarah Brunn, City Administrator
 City of Foley
 251 4th Avenue North
 PO Box 709
 Foley, MN 56329

RE: Revised Updated City of Foley Connection Costs

The costs for the City of Foley to connect to St. Cloud's Wastewater Conveyance and Treatment System have been updated to reflect the projects substantial completion date of November 2023.

The Cost of Connection Fee estimate is based on the information we have at this time. One last reconciliation of calculations will be completed just prior to when actual connection occurs. This would include any asset additions that would occur from now until then.

A brief summary of the connection cost increase from a connection date of December 31, 2021 versus December 31, 2023 is below. Updates include further indexation from 2021 to 2023, asset additions since the first estimate was developed and two additional years of debt service-related payments that will now be included in the upfront connection cost in lieu of future debt service-related payments.

COST OF CONNECTION FEE SUMMARY

Connection Fee Component	Connection Date of 12/31/21 Estimate	Connection Date of 12/31/23 Estimate	Difference	Description
Pool Capacity Reimbursement	\$2,538,442	\$3,133,517	\$595,075	Additional upfront debt principal (\$291K) + 2 additional years of indexing
Remaining Treatment System Access Charge	\$2,143,091	\$2,363,901	\$220,810	Additional upfront debt principal (\$15K) + Asset base additions + 2 additional years of indexing
Wastewater Conveyance System Access Charge	\$1,689,469	\$1,867,511	\$178,042	Additional upfront debt principal (\$49K) + 2 additional years of indexing
Total	\$6,371,002	\$7,364,929	\$993,927	

To further describe the basis for indexation adjustments that are included to the above, past project costs included to the connection fee are adjusted to represent the cost to replace those assets at the time of connection end of 2023. The previously provided estimated Cost of

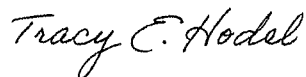
Connection was based on a connection timing of December 31, 2021. Therefore, the revised estimate includes two additional years of past project cost adjustment based on standard published index trends (utilizing *Engineering News Record* Construction Cost Index for Minneapolis). Note, similar indexing was part of the methodology for the development of the original 12/31/21 connection cost estimate.

Based on the revised connection fee amount and timing, the table below summarizes Foley's estimated remaining debt-service related payments that will be part of the monthly Wastewater Service Charge that will start when connection occurs. The remaining portion of the monthly Wastewater Service Charge will be for annual operating and maintenance and equipment replacement costs.

DEBT-SERVICE RELATED PORTION OF WASTEWATER SERVICE CHARGE

Project Reference	Wastewater Service Charge Category	Remaining Years	Monthly Charge	Annual Charge	Total Remaining for Foley
RUE	C1	2024-2030	\$9,720	\$116,600	\$816,200
NR2	C1	2024-2037	\$4,470	\$53,660	\$751,200
Main Liftstation	C2	2024-2026	\$2,470	\$29,650	\$88,950

Feel free to contact me with any follow-up questions you may have.
Thank you,



Tracy E. Hodel
Public Services Director
City of St. Cloud

- c Kathe Barrett, Public Facilities Authority
- DeAnna Fah, Finance Director – St. Cloud
- Lisa Vollbrecht, Public Utilities Director – St. Cloud
- Emma Larson, Assistant Public Utilities Director – St. Cloud

November 15, 2022

Gilmanton Township
Attn: Sabrina Hess, Clerk
9077 105th Avenue NE
Foley, MN 56329

Re: City of Foley/Gilmanton Township OAA – Annexation Notification

Dear Ms. Hess:

Please consider this notification of the intent to annex property within the OAA area. I have included a survey of the parcel with this letter for your information. This parcel will be subdivided by a request at the December 6, 2022 Joint Planning Board Meeting and is the location of an industrial park expansion of the City of Foley. Per the OAA agreement, the City is to provide 30 days' notice to the township when there is an annexation request. The Foley City Council intends to complete this annexation request at their January 3, 2023 meeting.

Please contact me with any additional questions.

Sincerely,

Sarah A. Brunn
City Administrator

Enclosure

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2022-28

A RESOLUTION ACCEPTING DONATIONS FOR THE POLICE DEPARTMENT

WHEREAS, the City of Foley encourages public donations to help defray the costs of the general public of providing services and improve the quality of life in Foley, and

WHEREAS, Great River Federal Credit Union has offered to donate funds for the Police Department for officer equipment, and

WHEREAS, Minnesota Statutes 465.03 requires that all gifts and donations of real or personal property be accepted only with the adoption of a resolution approved by two-thirds of the members of the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Foley, Benton County, Minnesota, that these donations are hereby accepted for use by the City of Foley.

BE IT FURTHER RESOLVED that the City extends its sincere appreciation to Great River Federal Credit Union for their generous donations.

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota, this 15th day of November 2022.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, City Administrator

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2022-29

A RESOLUTION CANVASSING THE RETURNS OF THE 2022 ELECTIONS
AND DECLARING THE RESULTS

WHEREAS, The City of Foley holds its local election every two years to select a Mayor with a two-year term and two Council Members with four-year terms; and

WHEREAS, Elections were held the 8th day of November 2022 and the following counts were recorded:

Mayoral Election

<u>Candidates</u>	<u>Votes</u>
Gerard L. Bettendorf	350
Jack "Jackson" Brosh	483
Write-In	5

Council Members Election

<u>Candidates</u>	<u>Votes</u>
Deborah Mathiowetz	389
Rosalie N. Musachio	345
Gary Swanson	547
Write-In	9

NOW THEREFORE BE IT RESOLVED by the Foley City Council that the Mayoral' s seat shall be filled by **Jack "Jackson" Brosh** said term to expire January 7, 2025, and the two Council Members' seats shall be filled by **Deborah Mathiowetz** and **Gary Swanson**, said terms to expire in January 2027.

PASSED AND ADOPTED by the City Council of the City of Foley this 15th day of November, 2022.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, City Administrator

Summary of Totals
City of Foley
Tuesday, November 8, 2022 State General Election

Number of persons registered as of 7 a.m.	1405
Number of persons registered on Election Day	64
Number of accepted regular, military, and overseas absentee ballots and mail ballots	111
Number of federal office only absentee ballots	0
Number of presidential absentee ballots	0
Total number of persons voting	890

Summary of Totals
City of Foley
Tuesday, November 8, 2022 State General Election

KEY TO PARTY ABBREVIATIONS

NP - Nonpartisan

Mayor (Foley)

NP Jack "Jackson" Brosh 483	NP Gerard L. Bettendorf 350	WI WRITE-IN 5
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Council Member (Foley) (Elect 2)

NP Deborah Mathiowetz 389	NP Rosalie N. Musachio 345	NP Gary Swanson 547	WI WRITE-IN 9
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Detail of Election Results
City of Foley
Tuesday, November 8, 2022 State General Election

Precinct	Persons Registered as of 7 A.M.	Persons Registered on Election Day	Total Number of Persons Voting
05 0010 : FOLEY	1405	64	890
City of Foley Total:	1405	64	890

Detail of Election Results
 City of Foley
 Tuesday, November 8, 2022 State General Election

Office Title: Mayor (Foley)

Precinct	NP	NP	WI
05 0010 : FOLEY	Jack "Jackson" Brosh 483	Gerard L. Bettendorf 350	WRITE-IN 5
Total:	483	350	5

Office Title: Council Member (Foley) (Elect 2)

Precinct	NP	NP	NP	WI
05 0010 : FOLEY	Deborah Mathiowetz 389	Rosalie N. Musachio 345	Gary Swanson 547	WRITE-IN 9
Total:	389	345	547	9

We, the legally constituted county canvassing board, certify that we have herein specified the names of the persons receiving votes and the number of votes received by each office voted on, and have specified the number of votes for and against each question voted on, at the State General Election held on Tuesday, November 8, 2022

As appears by the returns of the election precincts voting in this election, duly returned to, filed, opened, and canvassed, and now remaining on file in the office of the City of Foley Clerk. Witness our official signature at _____ in _____ County this _____ day of _____, 2022.

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

Member of canvassing board

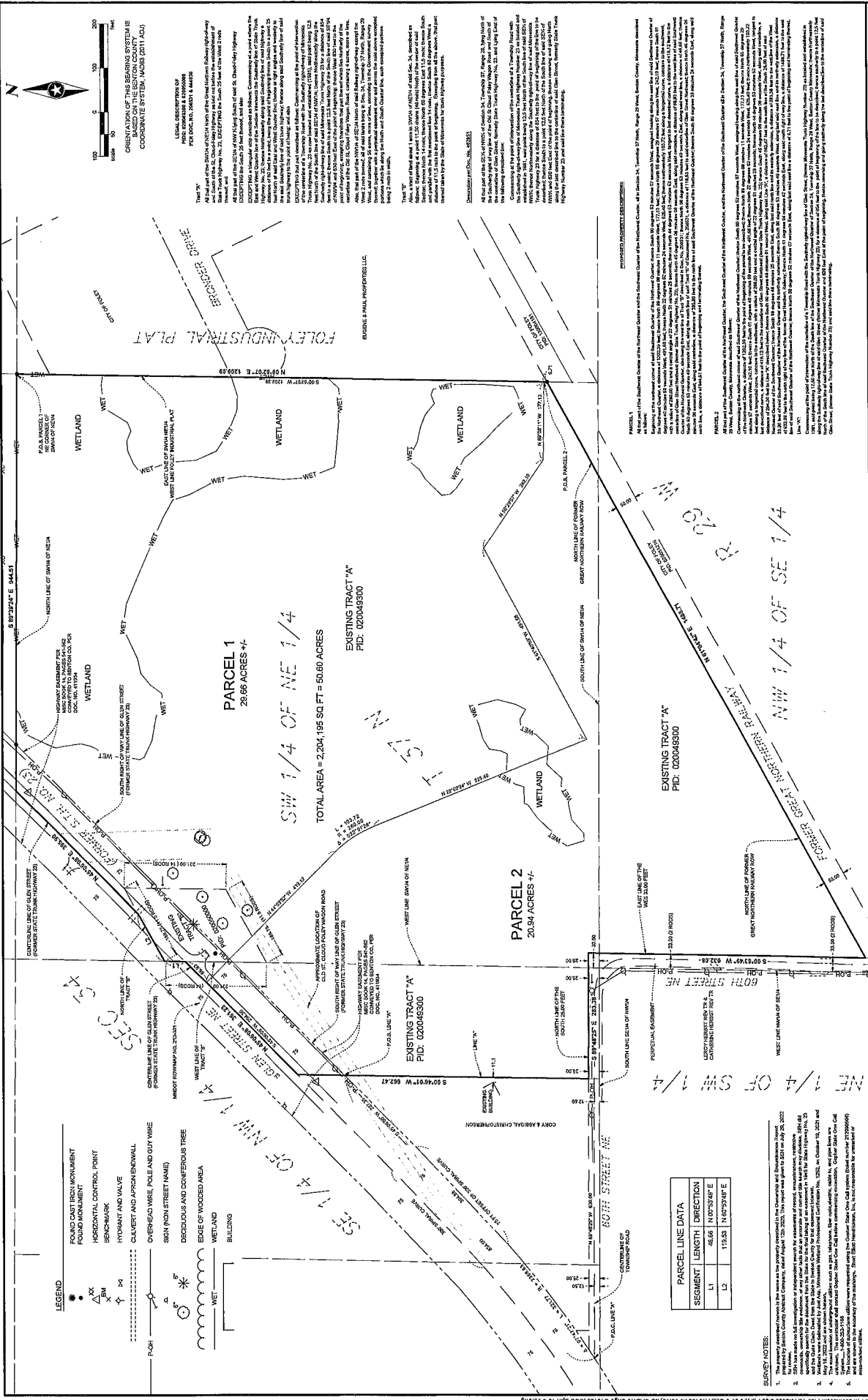
State of Minnesota
City of Foley

I, _____, Clerk of the City of Foley do hereby certify the within and foregoing _____ pages to be a full and correct copy of the original abstract and return of the votes cast in the City of Foley State General Election held on Tuesday, November 8, 2022.

Witness my hand and official seal of office this _____ day of _____, 2022.

Abstract of Votes Cast
In the Precincts of the City of Foley
State of Minnesota
at the State General Election
Held Tuesday, November 8, 2022

as compiled from the official returns.



LEGEND

- FOUND CAST IRON MONUMENT
- FOUND MONUMENT
- △x△x HORIZONTAL CONTROL POINT
- BENCHMARK
- ⊕ HYDRANT AND VALVE
- ⊕ CULVERT AND SPRING (SHOW WALL)
- OVERHEAD WIRE POLE AND GUY WIRE
- SIGN (NON STREET NAME)
- DECIDUOUS AND CONIFEROUS TREE
- EDGE OF WOODED AREA
- WET WETLAND
- BUILDING

PARCEL LINE DATA

SEGMENT	LENGTH	DIRECTION
L1	46.66	N 0° 52' 24" E
L2	113.25	N 85° 29' 24" E

SURVEY NOTES:

1. This plat was prepared by the Surveyor on the basis of the survey conducted by the Surveyor and the County Auditor, and the Surveyor's field notes, and the County Auditor's records.
2. The Surveyor has not been advised of any other survey or plat that may affect the boundaries shown on this plat.
3. The Surveyor has not been advised of any other survey or plat that may affect the boundaries shown on this plat.
4. The Surveyor has not been advised of any other survey or plat that may affect the boundaries shown on this plat.
5. The Surveyor has not been advised of any other survey or plat that may affect the boundaries shown on this plat.

LEGAL DESCRIPTION OF PARCELS:

PARCEL 1: 29.69 ACRES ±, SW 1/4 OF NE 1/4, SECTION 34, TOWNSHIP 27 NORTH, RANGE 20 WEST, COUNTY OF MONROE, MISSOURI.

PARCEL 2: 20.94 ACRES ±, SW 1/4 OF NE 1/4, SECTION 34, TOWNSHIP 27 NORTH, RANGE 20 WEST, COUNTY OF MONROE, MISSOURI.

PROPOSED PROJECT DESCRIPTION:

The proposed project is the subdivision of the land shown on this plat into two parcels, Parcel 1 and Parcel 2. The parcels are to be used for agricultural purposes.

PROPOSED PROJECT DESCRIPTION (continued):

The proposed project is the subdivision of the land shown on this plat into two parcels, Parcel 1 and Parcel 2. The parcels are to be used for agricultural purposes.

PROPOSED PROJECT DESCRIPTION (continued):

The proposed project is the subdivision of the land shown on this plat into two parcels, Parcel 1 and Parcel 2. The parcels are to be used for agricultural purposes.

CITY OF FOLEY
 201 SOUTH MAIN ST.
 FOLEY, MISSOURI 65252

CERTIFICATE OF SURVEY

DATE: _____

REVISION: _____

NO. _____

DESCRIPTION: _____

SP# Project: FOLEY 161854

Drawn By: JCP

Surveyed By: TJC

Checked By: DJS

PHONE: 302.225.0200
 5015 CANTONMENT AVE S
 BARTSTELL, MISSOURI 65207
 www.seh.com

SEH

COUNTY FID: 0204930 & 020493000

LAND OF THE STATE OF MISSOURI

1 of 1

TO: FOLEY CITY COUNCIL
FROM: SARAH BRUNN, CITY ADMINISTRATOR
SUBJECT: 11-15-22 –COUNCIL MEETING @ FOLEY FIRE HALL
DATE: NOVEMBER 10, 2022

Wastewater Regionalization Project – Payment of Connection Fee

In your packet is an invoice for the payment of the connection fee. Per the pool capacity agreement that was approved many months ago the City is to make payment of the connection fee within 60 days. The area cities granted us an extension while our financing was being put in place. We now have the financing and therefore need to make payment. This payment will be charged against the loan and will be the first loan disbursement we have. I have been only submitting for reimbursements of grant eligible expenses to date trying to save on interest costs. I have made arrangements with the Public Facilities Authority to ensure the loan proceeds come in at the same time we send payment out to ensure we have no cash flow issues.

Annexation Notice – Gilman Township

I have a draft letter and survey in your packet regarding the new industrial park project. We will be presenting a subdivision request to the Joint Planning Board meeting. Following approval, it is the city's intent to annex this property and start planning for infrastructure improvements. The consent agenda is just allowing staff to send the letter to put the township on notice.

Canvass Election Results

The council does need to adopt the resolution and sign the official election abstract at the meeting officially certifying the local election results. The newly elected officials take office the first meeting in January.

Bradley Peterson – Coalition of Greater MN Cities

Mr. Peterson will be coming to our meeting to provide information to the council and public on the latest in water quality standards and also what we may expect this year during the session.

2023 Budget

The council should let staff know of any changes to the budget. Staff will be moving ahead with prepping the final budget resolutions which will be presented on December 6th. The council will be requested to vote on the final budget following the TNT hearing on December 6th.

Library Carpet

This project is in progress so our meeting on November 15th is moved to the fire hall.

Upcoming Reminders:

November 14th – Planning Commission Meeting @ 6:30pm– New Life CUP Amendment on agenda.
November 15th – Council Meeting @ 5:30pm – Foley Fire Hall– Need to canvass election results!
December 6th – Council Meeting – TNT Hearing @ 6pm.