

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – January 17, 2023

The Foley City Council held their regular meeting on Jan. 17, 2023, at 5:30 p.m. at Foley City Hall.

Members Present: Mayor Jack Brosh, Councilmembers Jeff Gondeck, Deb Mathiowetz, and Gary Swanson.

Members Absent: 1 council seat remains open.

The pledge of allegiance was recited.

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

Motion carried, unanimous.

### **Council Training Session**

Sarah Brunn, City Administrator, led the council training workshop. The council is made up of an elected mayor and four council members with an appointed city clerk/administrator. The difference in powers is in the hiring and firing. The council has the ability to hire and fire. The council also appoints members of boards and commissions. The council retains all administrative and legislative authority, but day-to-day staff operations are delegated to the city clerk/administrator.

The role of the councilmembers include statutory authority (e.g. participating in council meetings, researching issues, participating in discussions, voting, preparing for meetings, talking to staff, and asking questions). The council devotes its time to problem solving and policy creation, while delegating staff to order and execute.

Two city councilmembers and the city clerk can call a special meeting. State law requires posting notice of at least three days prior to a special meeting.

Discussion followed with clarification from the city attorneys present.

Brunn also explained that the council has the power/obligation to conduct elections by appointing judges. They exercise the powers of cities that the law doesn't delegate to others, including preparing the budget and levying taxes.

The council appoints administrative personnel to manage financial operations. They also provide community leadership by providing a direct connection to residents and businesses.

The role of the mayor is to conduct the meetings, sign documents, and declare local emergencies. The mayor is also the tie breaker if consensus is not possible.

By statute, the city must have an administrator/clerk/treasurer. The council makes final decisions on hiring and firing. The council also sets salaries for employees.

The role of the city attorney is to provide resources and help prepare the council.

City communications has become more important over the years and now includes social media. It provides a way for people to exchange information. The city maintains a communication plan to help respond quickly to incidents. We want to keep the public informed on what's going on.

Brunn provided a general overview of city finances and explained the differences between the general fund, special revenue funds supplemented by tax revenue, debt service, and capital project funds to name a few. Enterprise funds (e.g. water/sewer) are supposed to be self-sufficient meaning they must generate enough revenue to cover expenses. Fund should have user fees to cover the cost to operate.

There is mandated reporting with the state pension during the audit.

The budget process starts in the summer. The staff prepares a draft budget. August is the budget meeting where we look line items in the budget and decide on priorities and goals. Staff and council also review the debt and investments during this time.

September is when the preliminary levy is set. Once the preliminary levy is set, the amount can't be increased but it can be lowered. This preliminary levy goes out with the county's tax statements.

October and November is the time for further budget review as staff sometimes waits on additional numbers (e.g. insurance costs). December is when the Truth in Taxation (TNT) notices are sent out. The council grants final approval of the budget. Staff sends it to the county and follows state reporting.

January is when the new budget cycle starts. Tax payments are received in July and December. State local government aid is received in July.

There is a state statute that limits the amount of debt a city can incur.

City Attorney Ashley Bukowski gave an overview to explain the different types of meetings such as regular, special, emergency, and adjourned (when a meeting must be postponed due to lack of quorum). When adding items to the agenda, it is best to add prior to the meeting but it can be added by making a motion during the meeting.

Bukowski also reviewed the requirements for using interactive technology during a virtual meeting. Members at all locations must be able to see and hear all the other members. At least one member needs to be in the council room. Votes are conducted by roll call. The city must post public notice of the regular meeting and include all remote locations. Some of these rules were suspended or eased during the state-wide COVID emergency. All closed meetings must be tape recorded.

Bukowski also gave an overview of other open meeting laws. There are consequences for violating open meeting laws and fines that councilmembers have to pay themselves. After three violations, a councilmember could lose their seat on the council.

Roberts's Rules of Order are used to preserve order and efficiency. Citizens do not have the right to speak at the council meeting whenever they wish. The public can speak during open forum or when called upon by the mayor. Bukowski reviewed some of the fine points of Robert's Rules.

Bukowski also discussed conflicts of interest. A councilmember can't vote on issues where they have a financial interest.

Councilmembers and staff must also follow Minnesota Government Data Practices. Any data collected becomes government data. Some data is considered public data and can be shared. Other data can't be shared. Data practices also applies to text messages and social media accounts.

Under planning and zoning, state law authorizes cities to regulate land use through zoning, subdivision and comprehensive planning. There is currently an annexation process going on with Gilmanton Township. The Planning Commission members are appointed by the council.

The Personnel committee has the power to recommend hiring/firing and addresses other employment issues such as salaries, union contracts, FMLA benefits, and veteran's preferences and military leave. Final decisions are made by the council.

### **Other Business**

Jarod Griffith, city engineer, gave an overview of the agreement for the push-button pedestrian signs at Broadway. Discussion followed on how and why the original plan for the signs was dropped from the Hwy 23 project. Griffith explained that it was dropped by the state in the initial design of the highway. More discussion followed with the council tabled further discussion until the next meeting.

Brunn told the council that at the next council meeting the Economic Development Committee would give a presentation on proposed new welcome signs for the city. The winery project passed the Joint Planning Board.

Brunn also shared that she'd received one letter of interest for the open council seat and answered several questions from residents.

Motion by Gondeck, seconded by Mathiowetz, to adjourn.

Motion carried, unanimous.

Meeting adjourned at 7:12 p.m.



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(Minutes By: Sara Judson Brown, Administrative Assistant)