



**City Council – Meeting Agenda**  
**February 7, 2023– 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 January 3, 2023.
  - Approve minutes of January 17, 2023.
  - Approve closing of city offices/public works on July 3, 2023 (in-lieu of Juneteenth).
  - Approve Memo of Understanding – FEMA Fire Radio Grant.
  - Adopt Resolution #2023-03 Approving 2022 Transfers.
  - Approve closing of 3<sup>rd</sup> Avenue for vet clinic on April 8, 2023.
  - Approve hold harmless agreement for April 8, 2023 vet clinic event.
  - Approve payment of bills.
5. Mayor's Comments and Open Forum
6. Foley Economic Development Committee
  - Foley Welcome Signs – Art Grant Application and Support
7. Discussion on 2023 Proposed Winterfest Event
8. Advocates for Health – AED Presentation – Joel Vogel
9. Department Reports:
  - Police Department –Katie McMillin
  - City Engineer – Jarod Griffith
    - Discussion on Hwy 23 Pedestrian Crossings.
  - Public Works/Fire – Mark Pappenfus
  - Administration – Sarah Brunn
    - Discussion on rental license renewal periods
    - Request for I/I compliance extension (waiver of fees) – 640 4<sup>th</sup> Avenue N
    - School Storm Sewer Reimbursement
    - Building Code – Change in Occupancy
10. Old Business
  - Update on wastewater project.
  - Discussion on vacant councilmember position.
    - 3 applicant letters provided in packet.
11. New Business
12. Mayor's Comments and 2<sup>nd</sup> Open Forum
13. Adjourn

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – January 3, 2023

The Foley City Council held their regular meeting on Jan. 3, 2023, at 5:30 p.m. at Foley City Hall.

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

Members Absent: Mayor Elect Jack Brosh; 1 council seat remains open at the start of 2023

The pledge of allegiance was recited.

Motion by Swanson, seconded by Mathiowetz, to appoint Jeff Gondeck acting mayor.

Motion approved, unanimous.

The Oath of Office was administered by Sarah Brunn, City Administrator, to Councilmember Deb Mathiowetz.

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

Motion carried, unanimous.

Motion by Swanson, seconded by Mathiowetz, to approve the consent agenda.

Consent Agenda:

- Approve minutes of December 6, 2022.
- Adopt Resolution #2023-01 Approving Annexation of Property in Gilmanton Township.
- Approve payment of bills.
- Approval to start process for part-time officer
- Accept retirement of firefighter Larry Nadeau (effective Feb. 3)

Motion carried, unanimous.

**Update on Wastewater Regionalization Project**

Sarah Brunn gave an overview to the council. The project has wrapped up work for the winter. She presented Pay Application #7 for \$321,573.48. The project made good progress this season. Mark Pappenfus gave more details to the council. Crews may come back in the winter to work on lift stations. Brunn also said the city is working through the permit process with the odor control structure with Benton County. Discussion and questions followed.

Motion by Swanson, seconded by Mathiowetz, to approve Pay Application #7.

Motion carried, unanimous.

**Advocates for Health – AED Presentation**

Unable to join the meeting due to the weather. Will reschedule for February meeting.

Motion by Gondeck, seconded by Swanson, to table further discussion until the next meeting.

Motion carried, unanimous.

### **2023 Annual Appointments – Discussion and Approval**

Brunn addressed the council. She said that Mayor Elect Brosh had asked to be on the personnel committee. He was okay with proceeding with the other positions listed. Discussion and questions followed. Brunn explained the council needed to choose council representatives for some committees. More discussion and questions followed.

#### **Library Board**

Karen Eherenmann  
Deb Mathiowetz

#### **Planning Commission**

Jeff Gondeck  
Deb Mathiowetz  
Noel Lewandowski  
Rosalie Musachio

#### **Economic Development Authority**

Jeff Gondeck  
Deb Mathiowetz

#### **Personnel Committee**

Jack Brosh  
Jeff Gondeck

#### **Health Officer**

Shana Nelson

#### **Health Board**

Charlotte Monroe  
Jeannie Rajkowski

#### **Benton Economic Partnership**

Gary Swanson

Motion by Mathiowetz, seconded by Swanson, to approve the annual appointments.

Motion carried, unanimous.

Brunn stated that once we fill the vacant seat if the council wants to swap some roles that is fine.

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

Gondeck 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.

Pamela Vizenor, 600 Broadway Ave N, addressed the council regarding the snow plowing of the streets. She felt strongly that the plowing needed to be done more frequently and asked the city to do a better job.

Deborah Olson, 600 Dewey Street, addressed the council with questions about the bills list. Why are both Nationwide and Pacific Life both paid out and what kind of insurance is being bought? Olson also stated she was appreciative of the Advocates for Health. She expressed concerns regarding allotted funds, installation costs, and a yearly maintenance fee. She also asked for an update on the signage across Hwy 23.

## **Department Reports**

### **Police Department**

Chief McMillin gave an overview of crime stats to the council. Calls were down for December with a total of 312 calls. She also directed the council to other graphs that shows the increasing trends for calls and the types of calls. She stated that there were 673 more calls in 2022 than the previous year. Driving complaints were down, but people driving without a license was up. Suspicious activity was up and domestics and assaults were down. City ordinance violations were up to 24 for sidewalk shoveling. Discussion and questions followed. Gondeck asked about the time frame for hiring a new part-time officer. McMillin said she expected to have interviews set in early to mid-February with a list ready to bring to the March meeting.

### **City Engineer**

Jarod Griffith gave the council an overview of the Hwy 23 project. He directed the council to an invoice in their packet for a change order for the reduction in utilities from 9<sup>th</sup> Street to Lord Avenue for. Brunn addressed the council asking for a motion to approve the payment of the invoice.

Motion by Swanson, seconded by Mathiowetz, to pay the invoice from MNDot for the change order.

Motion carried, unanimous.

Griffith directed the council to an agreement in their packet for additional engineering construction services for the Hwy 23 project. The project has been extended into the new year. Staff is estimating ten weeks to complete. The agreement is the hourly fee for the estimated additional time of \$19,500.00. Discussion and questions followed. Brunn explained there is a meeting with MNDot tomorrow that she hopes will give more answers on Hwy 23 signage funds. More discussion followed with both Gondeck and Swanson expressing disappointment that the signage was missed by MNDot when the city had planned for it to be included with the Hwy 23 project from the beginning. Brunn said that staff would lean on MNDot as much as they could to get answers. Staff has not been able to get a straight answer on why/how it was missed.

Motion by Mathiowetz, seconded by Swanson, to approve the additional engineering for the Hwy 23 project.

Motion carried, unanimous.

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

Mark Pappenfus gave an overview to the council. Not much to report other than snow plowing. Gondeck asked how the Fire Department would commemorate Larry Nadeau's retirement. Pappenfus said they department would handle the details.

### **Administrative**

Brunn gave an overview to the council. The Joint Planning Board will meet at 6:30 p.m. to discuss the winery project in the orderly annexation area. Staff also has an upcoming Moody's rating call. The city was selected for a possible upgrade, but that means the city will have to go through a credit review process.

### **Old Business**

No old business.

### **New Business**

The council addressed Resolution #2023-02 Declaring a City Council Vacancy. Brunn explained that the council can appoint a new member if there is less than two years left on the term. She recommended appointment at the next council meeting due to the cost and the time required for a special election. She stressed it was the council's decision on how they wanted to move forward.

Motion by Mathiowetz, seconded by Swanson, to adopt Resolution #2023-02 declaring the vacancy on the council.

Motion carried, unanimous.

More discussion followed regarding the specifics on how to fill the vacancy. Brunn suggested advertising for applicants asking for letters of interest.

Swanson asked for more information on snow plowing on Carpenter Street. Pappenfus explained that Carpenter is not a primary road. It's also difficult to plow narrow streets when cars are parked on the side. It would be helpful and make plowing faster if residents waited until after the road was plowed to park on the street.

Motion by Swanson, seconded by Mathiowetz, to adjourn.

Motion carried, unanimous.

Meeting adjourned at 6:10 p.m.

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

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.

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

## **MEMORANDUM OF UNDERSTANDING 2023 FEMA ASSISTANCE TO FIREFIGHTERS GRANT**

### **Joint Radio Communications Purchase Between Rice Fire Department and Foley Fire Department**

This Memorandum of Understanding ("MOU") sets forth the terms by which the Parties shall apply for and administer a Federal Emergency Management Agency ("FEMA") Assistance to Firefighters Grant ("AFG"). This MOU is made and entered on the date it is first fully executed by the parties hereto: Rice Fire Department and Foley Fire Department (each a "Party" and collectively the "Parties").

WHEREAS, The Rice Fire Department and Foley Fire Department are committed to working together in providing the best emergency services across Benton, Stearns, Morrison, Mille Lacs and Sherburne Counties.

WHEREAS, all the agencies recognize and agree that decreasing costs and improved interoperability will help achieve better services.

WHEREAS, the application for the grant requires that the Parties execute a Memorandum of Understanding specifying the responsibilities of the Parties and the proposed distribution of all funds received from the AFG in the event that the grant is awarded to and accepted by the Parties

NOW, THEREFORE, the Parties hereto agree as follows:

#### **Section 1. Objective of Agreement**

The primary objective of this MOU is to establish a purchasing group for the purpose of replacing portable and mobile radios that are at the end of their service life. By forming this purchasing group a few critical benefits will be achieved; improved interoperability, increased purchasing power which will lower the unit pricing, better customer support from the manufacturer, reduced training costs, and a more thorough evaluation of the units in the market. Another benefit over the long-term will be the support the agencies can provide each other in servicing the units, programming costs, and reducing duplication of some equipment.

#### **Section 2. Host/Lead Agency Responsibilities.**

Rice Fire Department shall be designated as the host/lead agency to submit the application on behalf of the Parties. In the event that the grant is awarded by AFG and accepted by the Parties, Rice Fire Department agrees to serve as the grant administrator according to AFG program guidelines to: (1) procure, administer, and distribute the radio equipment and grant funds approved in the application; (2) account for the radio equipment and grant funds received; and (3) provide reporting requirement deliverables.

#### **Section 3. Participating Partner Agencies Responsibilities.**

In the event that the grant is awarded by AFG and accepted by the Parties, the Parties agree to provide a cost share match of 5% of the approved cost of their radio equipment as detailed in the grant application. The required cost share match shall be paid by each respective Party within thirty (30) days after receipt of an invoice from the radio equipment vendor according to the Radio Equipment Distribution List attached as Exhibit A.

**Section 4. Cost Share.** The Parties will equally share, 50% each, the costs incurred for having the grant written, these costs shall not exceed \$300 for each party. The proposed total cost share for the grant is 95% AFG and 5% Parties. The table in Exhibit A summarizes the anticipated total quantity and price of radio equipment to be purchased with grant funds and the estimated cost share among the Parties and the AFG.

**Section 5. Grant Disposition.** Upon notice of award from AFG and acceptance of the award by the Parties, the Parties agree to purchase the radio equipment at the quantities and prices provided in the application and summarized in Exhibit A.

**Section 6. Amendments.**

This MOU may be amended at any time by written agreement of all agencies. Such requests will only be approved if the proposed change(s) is (are) consistent with and/or achieves the goals.

**Section 7. Duration of MOU**

The MOU will be in effect from the date of signing until either the agencies receive notification that the grant was not successful, or the grant is received, and the units have been distributed to each agency. It is expected that all the work can be completed within two years of the grant being approved.

IN WITNESS WHEREOF this Agreement has been executed by each party on January 20, 2023:

RICE FIRE DEPARTMENT

FOLEY FIRE DEPARTMENT

\_\_\_\_\_  
Rice Fire Department, Fire Chief

\_\_\_\_\_  
Foley Fire Department, Fire Chief

**EXHIBIT A. Total Radio Equipment Quantity and Price.**

| 2023 AFG Radio Grant Count |  |                               |                        |                           |  |  |  |   |
|----------------------------|--|-------------------------------|------------------------|---------------------------|--|--|--|---|
| Dept                       | Units Requested                        |                               |                        |                           | Per Unit Cost                          |  |  |   |
|                            | Portable w/<br>Spkr Mic and<br>Charger | Mobile /<br>Dashmount<br>Head | Mobile w/<br>Dual Head | Base w/<br>Remote<br>Head | Portable w/<br>Spkr Mic and<br>Charger | Mobile /<br>Dashmount<br>Head<br>Installed | Mobile w/<br>Dual Head<br>Installed    | Base w/ Rmt<br>Head,<br>Desktop Mic<br>and Pwr<br>Supply<br>Installed |
| Rice Fire                  | 22                                     | 5                             | 2                      | 1                         |  |  |  |   |
| Foley Fire                 | 21                                     | 5                             | 3                      | 1                         | \$ 7,821.00                            | \$ 7,138.24                                | \$7,686.24                             | \$ 7,418.24   |
| Total                      | 43                                     | 10                            | 5                      | 2                         |  |  |  |   |
| Total Costs                |  |                               |                        |                           |  | Agency Match                               |  |   |
| Dept                       | Portable w/<br>Spkr Mic and<br>Charger | Mobile /<br>Dashmount<br>Head | Mobile w/<br>Dual Head | Base w/<br>Remote<br>Head | Combined<br>Total                      | 5%   |  |   |
| Rice                       | \$ 172,062.00                          | \$ 35,691.20                  | \$ 15,372.48           | \$ 7,418.24               | \$ 230,543.92                          | \$ 10,978.28                               |  |   |
| Foley                      | \$ 164,241.00                          | \$ 35,691.20                  | \$ 23,058.72           | \$ 7,418.24               | \$ 230,409.16                          | \$ 10,971.86                               |  |   |
| Total                      | \$ 336,303.00                          | \$ 71,382.40                  | \$ 38,431.20           | \$ 14,836.48              | \$ 460,953.08                          | \$ 21,950.15                               | * Does not include Grant<br>Writer Fee |   |
| Total Grant Request        |  | \$ 460,953.08                 |                        |                           |  |  |  |   |
| Grant Writer Fee           |  | \$ 600.00                     |                        |                           |  |  |  |   |
| Total Grant Request        |  | \$ 461,553.08                 |                        |                           |  |  |  |   |
| Federal Share              |  | \$ 439,574.36                 |                        |                           |  |  |  |   |
| City Share                 |  | \$ 21,978.72                  |                        |                           |  |  |  |   |



2460 N. 2600 E. Rd  
Donovan, IL 60931

3gsafetysupply@gmail.com

Cell: 815.549.4467

## Estimate

| Date      | Quote # |
|-----------|---------|
| 1/17/2023 | 211614  |

| Customer                           |
|------------------------------------|
| Foley Fire Department<br>Foley, MN |

| Ship To                                  |
|--|
| 3357116 Drager Fill Station Quick Connec |

| Item | Qty | Description  | Cost      | Total     |
|------|-----|--|-----------|-----------|
| Misc | 1   | VAC8H-E1 / Bauer - Verticus 6000psi Enclosed Design Compressor 8.4 scfm, 3-Stage, 7.5hp, P2 Securus, Single Phase 240v | 30,335.80 | 30,335.80 |
| Misc | 1   | CSCD-6-4 / Cascade System, 6000psi, 4 Cylinder - Includes: (4) ISO Cascade Cylinders, Pigtails, & Mounting Hardware    | 10,052.65 | 10,052.65 |
| Misc | 1   | CFS5.5-2M/BAS-0099-702 / Bauer Two Position Fill Station with Base   | 9,300.00  | 9,300.00  |
| Misc | 1   | CUS4BANK - Cascade Panel, 4-Bank, Top Mount Dual Function Panel  | 5,578.95  | 5,578.95  |

Thank you for the opportunity to quote.  
Shipping and Handling TBD.

**Total**

\$55,267.40

**From:** [Mark Pappenfus](#)  
**To:** [Sarah Brunn](#)  
**Subject:** Fire Department FY 2021 AFG FEMA Grant  
**Date:** Wednesday, February 1, 2023 4:28:52 PM  
**Attachments:** [Foley FD - Compressor System 2023.pdf](#)  
[Compressor #2 Quote# 211614 FFD.pdf](#)

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Sarah,

Can the attached quote from Alex Air Apparatus be placed in the Council packet for approval for the purchase of an SCBA Compressor, Storage Bottles, and Fill Station for a total purchase price of \$52,504.00 using funds from our FY 2021 FEMA Grant that we were awarded in August 2022. The total FEMA Grant contract was for \$45,142.00 and was for the Compressor and Storage Bottles. We also will be purchasing the Bottle Fill Station with this purchase and will fund the extra out the Fire Department Equipment fund. I do have a second quote attached to this email for your files to cover bidding requirements as this is not a pre-bid contract purchase.

Thanks, Mark

**Mark Pappenfus**  
**Foley Fire Chief**

11897 Co. RD 87 SE  
Alexandria, MN 56308  
Phone: 800-264-2320  
Fax: 320-763-9077  
Email: [orders@alexairapparatus.com](mailto:orders@alexairapparatus.com)  
Web Site: [www.alexairapparatus.com](http://www.alexairapparatus.com)

## QUOTE

| Date       | Customer PO |
|------------|-------------|
| 12/13/2022 |             |

## BILL TO

Foley Fire Department  
Address on File  
Foley, Minnesota

## SHIP TO

| S.O. # | Promise Date | Terms | Sales Rep      |
|--------|--------------|-------|----------------|
|        |              | N30   | Garrett McCain |

[illegible]

*\*CUSTOMERS THAT HAVE NOT PROVIDED TAX EXEMPT FORMS WILL BE CHARGED APPLICABLE SALES TAX*

\*FREIGHT PREPAID & ADDED

\*F.O.B SHIPPING POINT

*\*THIS IS NOT AN INVOICE*

Tax Rate

SHIPPING:

SUB: \$52,504.00

TAX:

**TOTAL: \$52,504.00**

Authorized Signature of Approval

CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA  
RESOLUTION 2023 - 03

A RESOLUTION PROVIDING FOR TRANSFERS BETWEEN FUNDS

WHEREAS, in conjunction with closing the books for 2022, transfers need to be accomplished; and

WHEREAS, funds are proposed to be transferred to be incorporated into the equipment and streets funds as budgeted;

WHEREAS, funds are proposed to be transferred from enterprise funds to debt service funds as budgeted;

WHEREAS, funds are proposed to be transferred to provide an interfund loan to the fire department from the expendable trust fund;

NOW THEREFORE BE IT RESOLVED that the Foley City Council hereby approves the following transfer to be incorporated into the 2022 audit report.

1. Transfer \$120,000 from General Fund (Fund 100) to Equipment Fund (Fund 425).
2. Transfer \$150,000 from General Fund (Fund 100) to Streets Fund (Fund 410).
3. Transfer \$20,000 from Water Fund (Fund 601) to 2008 (2012) Refunding Bond Fund (Fund 208).
4. Transfer \$63,000 from Sewer Fund (Fund 602) to 2008 (2012) Refunding Bond (Fund 208).
5. Transfer \$10,000 from Water Fund (Fund 601) to 2015 Bond Fund (Fund 215).
6. Transfer \$10,000 from Sewer Fund (Fund 602) to 2015 Bond Fund (Fund 215).
7. Transfer \$38,000 from Water Fund (Fund 601) to 218 Bond Fund (Fund 218).
8. Transfer \$27,000 from Sewer Fund (Fund 602) to 2018 Bond Fund (Fund 218).
9. Transfer \$40,000 from Fire (Fund 699) to Expendable Trust (Fund 609).

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota, this 7<sup>th</sup> day of February, 2023.

\_\_\_\_\_  
Jack Brosh, Mayor

ATTEST:

\_\_\_\_\_  
Sarah A. Brunn, City Administrator



Mille Lacs

**VETERINARY  
CLINIC**  
at Foley



310 Dewey St PO Box 370 FOLEY MN 56329  
(320) 968-6677

*Dr. Bonnie Miller · Dr. Alicia Murphy*  
*Dr. Rochelle Fredrick · Dr. Rachel Banlecke*

Sarah A. Brunn  
City Administrator  
Foley City Hall  
251 4th Avenue N  
Foley, MN 56329

January 25, 2023

Dear Ms. Brunn,

Hello from Mille Lacs Veterinary Clinic! We are making plans for our annual equine haul-in Coggins & vaccine clinic, and we are hoping the city will once again allow us to use the street to the west of our office for this event. We would like to hold this year's clinic on Saturday April 8, 2023. With two new doctors on staff and a new facility set to open soon outside of Milaca, we'll be returning to our previous schedule of about five hours for the Foley location.

We request permission to close the block of 3<sup>rd</sup> Ave in front of our Foley clinic on that day to make room for loading and unloading horses from their trailers. The hours of the clinic are from 7:30am to 12:30pm. We would like to close the street starting at 7:00am, and it should be completely cleaned up and open by 1:00pm. As always, we plan to notify our neighbors on the block prior to the event and will ensure that their time and property are respected.

This arrangement has worked amazingly well for several years and is so convenient for our staff and clients! We love being part of the Foley community and really appreciate your cooperation in this event. Please feel free to contact me at the number listed above with any questions or concerns. Thank you.

Best Regards,

Bonnie E Miller DVM

## INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

The City of Foley, (the "City"), and Mille Lacs Veterinary Clinic, P.A., ("Clinic"), make this Indemnification and Hold Harmless Agreement (this "Agreement") effective as of April 8, 2023, (the "Effective Date").

### RECITALS

- A. The Clinic has requested to temporarily close a portion of Third Avenue, a City street, in front of the Clinic's property located at 310 Dewey Street on April 8, 2023, in order to conduct an equine vaccination event.
- B. The City has agreed to the temporary street closure on the condition that the Clinic indemnifies the City from any liabilities, costs and damages which may occur as a result of or arising out of the temporary closure of Dewey Street, or the Clinic's clientele bringing horses and horse trailers into the City.

In consideration of the mutual covenants, conditions and promises of the parties contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties agree as follows:

1. **Indemnification**. The Clinic agrees to defend, indemnify and hold the City, its officers, agents, employees and affiliates, harmless to the fullest extent permitted by law for, from and against any and all liability, claims, damages, costs, losses and expenses (including court costs and attorneys' fees) in any way related to or arising out of: (i) any injury to or death of any person, including, but not limited to, Clinic's employees or agents; and (ii) any and all damage to or destruction of any property or loss of use of such property, including, but not limited to, damage to property of third parties, arising out of, related to or in connection with the temporary closure of the City's street, or Clinic's clientele bringing horses and horse trailers into the City, unless such injury, death, damage or destruction is caused solely by the City's negligence.

2. **Care and Coordination**. The Clinic agrees to at all times exercise reasonable precautions in accordance with all applicable governing safety regulations and will be solely responsible for the safety of its employees, agents, clients, licensees, invitees and other persons, as well as their property, while conducting the equine vaccination event. The City shall not under any circumstance be liable for the actions or omissions of the Clinic, its officers, agents, employees, clients, licensees, invitees or other persons associated with the Clinic. The Clinic agrees to at all times coordinate and cooperate with City staff on signage, traffic control, staging of trailers, controlling animals outside of trailers, and eliminating safety concerns. The Clinic agrees to notify all neighbors on the 100<sup>th</sup> block of 3<sup>rd</sup> Avenue of the equine vaccination event no later than April 1, 2023. While 3<sup>rd</sup> Avenue will be temporarily closed to through traffic during the event on April 8, 2023, the Clinic acknowledges that access to properties on the 100<sup>th</sup> block of 3<sup>rd</sup> Avenue shall not be restricted.

3. **Insurance.** The Clinic shall maintain General Liability Insurance in the amount of at least \$1,000,000.00. The Clinic shall provide the City with a certificate evidencing insurance coverage.

The parties have executed this Agreement as of the Effective Date.

CITY:

\_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

CLINIC:

\_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

# Bills List - February 2023

|                                 |                        |    |           |
|---------------------------------|------------------------|----|-----------|
| Gross Salaries - FIRE & COUNCIL | Payroll - 1/6/23       | \$ | 28,136.96 |
| EFTPS                           | Federal Withholding    | \$ | 5,263.08  |
| MN Dept of Revenue              | State Withholding      | \$ | 300.00    |
| Gross Salaries                  | Payroll - 1/13/23      | \$ | 23,511.68 |
| EFTPS                           | Federal Withholding    | \$ | 6,072.64  |
| MN Dept of Revenue              | State Withholding      | \$ | 1,234.35  |
| State Treas. PERA               | PERA                   | \$ | 6,953.13  |
| Nationwide                      | Deferred Comp          | \$ | 1,059.97  |
| Pacific Life Ins                | Deferred Comp/Roth IRA | \$ | 80.00     |
| Further                         | HSA Contribution       | \$ | 1,055.00  |
| Gross Salaries                  | Payroll - 1/27/23      | \$ | 23,504.24 |
| EFTPS                           | Federal Withholding    | \$ | 6,278.88  |
| MN Dept of Revenue              | State Withholding      | \$ | 1,261.89  |
| State Treas. PERA               | PERA                   | \$ | 6,952.17  |
| Nationwide                      | Deferred Comp          | \$ | 1,062.36  |
| Pacific Life Ins                | Deferred Comp/Roth IRA | \$ | 80.00     |
| Further                         | HSA Contribution       | \$ | 1,055.00  |
| Law Enforcement Labor Services  | Union Dues             | \$ | 202.50    |

## Already Paid 2/7/2023

|                                       |                   |    |            |
|---------------------------------------|-------------------|----|------------|
| First National Bank of Omaha          | 02/23 CC invoices | \$ | 171.39     |
| MN DNR Ecological and Water Resources | 2023 Water Permit | \$ | 353.80     |
|                                       |                   | \$ | 114,589.04 |

## To Be Paid - 2/7/2023

|   |  |    |           |
|---|--|----|-----------|
| Auto Value                                  | FD Vehicle Repair  | \$ | 34.69     |
| Benton County Attorney                      | 12/22 Legal Fee's  | \$ | 220.00    |
| Benton County Recording Supervisor          | New Life - Billable  | \$ | 46.00     |
| Bolton and Menk                             | WW Expansion   | \$ | 58,877.50 |
| Central McGowan                             | PD medical supplies  | \$ | 6.82      |
| Central MN Mutual Aid Assoc                 | 2023 FD Dues   | \$ | 50.00     |
| Chamberlain Oil Co.                         | PW Snow equipment repair                                   | \$ | 225.92    |
| Cintas                                      | Uniforms   | \$ | 252.66    |
| City of St. Cloud                           | 2023 CMWEA Membership Fee- Dues                            | \$ | 221.00    |
| CloudNet                                    | Server Fees  | \$ | 20.00     |
| Coborns                                     | City Supplies  | \$ | 112.81    |
| Compass Minerals                            | Street Sand /Salt  | \$ | 4,806.45  |
| Dalco                                       | City vacuum Bags   | \$ | 39.05     |
| Delta Dental                                | Employee Dental Insurance                                  | \$ | 1,187.30  |
| East Central Energy                         | 1/23 Utilities   | \$ | 1,145.16  |
| Emergency Medical Products                  | FD Medical Supplies  | \$ | 26.34     |
| Farm-Rite Equipment                         | Street Maintenance   | \$ | 1,673.16  |
| Ferguson Enterprise                         | Water Chemicals  | \$ | 27.80     |
| Foley Hardware Company                      | PW shop/street maintenance                                 | \$ | 86.27     |
| Further                                     | Employer H S A contribution and Participation Fee          | \$ | 380.35    |
| Gilman Coop Creamery                        | Street supplies  | \$ | 55.80     |
| Gopher State One Call                       | 12/22 Email Tickets and 2023 Annual Facility Fee           | \$ | 62.15     |
| Granite Electronics                         | PW 2 way Radio   | \$ | 4,160.35  |
| Handyman's Hardware                         | Library maintense  | \$ | 12.98     |
| Hawkins                                     | Water Chemicals  | \$ | 2,740.28  |
| Health Partners                             | 2/23 Insurance premium                                     | \$ | 17,029.29 |
| Highway 23 Coalition                        | 2023 Advocate Membership fee                               | \$ | 1,500.00  |
| Horizon Seminars                            | Pool Training  | \$ | 375.00    |
| International Institute of Municipal Clerks | 2023 Annual Membership Fee                                 | \$ | 185.00    |
| K and K Tire & Auto Center                  | PD vehicle Maintense                                       | \$ | 812.30    |
| Klake Region Firefighters Assoc             | 2023 Lake Region Dues                                      | \$ | 40.00     |
| League of MN Cities                         | PD and Elected Leaders Training                            | \$ | 980.00    |
| Marco                                       | Copier Lease   | \$ | 266.04    |
| Michael and Bailey Bussmann                 | refund over payment on water bill                          | \$ | 20.56     |
| Midco                                       | Phone & Internet Services                                  | \$ | 820.30    |
| Midway Iron & Metal                         | Street Snow maintense                                      | \$ | 206.46    |
| Milaca Building Center                      | Vehicle snow maintenance                                   | \$ | 188.40    |
| MN Rural Water Assn                         | 2023 PW Conference-Mark-Adam-Jesse                         | \$ | 825.00    |
| MN Department of Revenue                    | 12/23 Sales and Use Tax                                    | \$ | 662.00    |
| Momentum Truck Group                        | PW Vac Truck Maintenance                                   | \$ | 170.00    |
| Municipal Emergency Services                | FD Supplies Ground Monitor                                 | \$ | 2,788.68  |
| Murphy's                                    | PD vehicle Maintense                                       | \$ | 785.16    |
| NASASP                                      | Associate Membership                                       | \$ | 39.00     |
| Northland Security                          | Annual Continuing Disclosure Report                        | \$ | 435.00    |
| Rinke Noonan                                | Gen Legal, WW Exp, Herbst, NHW-Billable                    | \$ | 3,366.00  |
| Riteway                                     | 2022 tax forms 1099's                                      | \$ | 230.00    |
| RMB Environmental Labs                      | Water/Pond testing   | \$ | 317.99    |
| Shift Technologies, Inc                     | Antispan, antivirus and Fund Account IT Issues             | \$ | 309.75    |
| Short Elliott Hendrickson                   | New Life Billable, Winery, Water, Gen Eng, Hwy 23 Utilites | \$ | 10,501.11 |
| Silt Sock                                   | TIF Billable   | \$ | 18,997.61 |
| Staples                                     | PW, FD invites and City Office Supplies                    | \$ | 357.27    |
| Star Publications                           | 12/22 & 1/23 Publications                                  | \$ | 407.06    |
| State of MN Department of Public Safety     | Hazardous Materials Incident Response Act Fee              | \$ | 100.00    |
| Sun Life Assurance                          | Employee LTD   | \$ | 274.75    |
| USABLE Life                                 | Employee Life Insurance                                    | \$ | 261.50    |
| Vector Solutions                            | FD Training  | \$ | 4,521.00  |
| Verizon                                     | Cell Phone   | \$ | 317.63    |
| Wex Bank                                    | FD, PW Fuel  | \$ | 4,432.89  |
| Xcel Energy                                 | Utilities  | \$ | 9,963.25  |
| Ziegler Cat                                 | Snow Plow Equip Maint                                      | \$ | 640.25    |
| Zoll Medical Corp                           | FD Defibrillator   | \$ | 1,483.46  |

## Additional To Be Paid - 2/7/2023

|    |            |
|----|------------|
| \$ | 275,669.59 |
| \$ | 275,669.59 |

# Foley City Council Meeting

Proposed Welcome Signs

## Purpose of the Proposal

- ▶ There is a need for replacement
  - ▶ Weathered
  - ▶ Damaged
  - ▶ Dated
- ▶ Current locations pose issues
  - ▶ Private property & Lease-end
  - ▶ Doesn't account for future growth
- ▶ Aesthetics and Beautification
  - ▶ Sets the tone for those visiting and passing through
  - ▶ Inviting...Welcoming!

## Recommendation from the Foley Economic Development Committee

- ▶ Install signs prior to the newly created urban zone entering from the East and prior to the anticipated expansion of the industrial park entering from the West
- ▶ Launch a campaign that would be identical to the Foley Mural Art Project
- ▶ Support the FEDC in applying for a Project Grant and a Public Arts Grant through the Central MN Arts Board
  - ▶ Two different signs that compliment the mural and highlight Foley's history
  - ▶ Leverage Grants, Businesses, and Organizations to reduce the cost to the City

\*\*\**(Note: This is a draft agreement form. Any one of the stipulations below may be changed as appropriate to the needs of the applicant and fiscal agent. An individual authorized to sign contracts for the fiscal agent organization must be the signatory for a fiscal agent agreement to be valid. )*

**Fiscal Agent Organization Name**

**Address**

**Contact Person**

**Phone Number**

## **FISCAL AGENT AGREEMENT**

**The** \_\_\_\_\_ **agrees to serve as fiscal agent for**  
(Fiscal Agent Organization)

**The** \_\_\_\_\_ **under the following stipulation**  
(Arts Organization)

1. The fiscal agent status is for one project grant only.
2. The arts group is responsible for submitting the complete grant and final report and for providing copies of these to the organization serving as fiscal agent.
3. The arts group will keep the organization serving as fiscal agent informed about the progress of the project and deviations from the grant will be brought to the attention of the fiscal agent.
4. The arts group will write no contracts or accept no other contributions from anyone or any group without prior approval of the organization serving as fiscal agent.
5. The organization serving as fiscal agent will keep all funds in its account and will write checks when furnished with appropriate bills or proof of expenses by the arts group.
6. Any unused funds, profit, or interest will be spent as stipulated by mutual agreement before any checks are issued for the grant.
7. The fiscal agent's authorized agent has signed below and the Board of Directors is aware of this this agreement.

\_\_\_\_\_  
Fiscal Agent Authorized, Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Arts Group, Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Arts Group Signature

\_\_\_\_\_  
Date

4/26/2017

Event name: Foley MN Winterfest 2023

Event dates: December 1,2,3

Event location: 4<sup>th</sup> Ave to Main to John

Activities: Tree lighting, caroling, 5K run, parade, costume contest, hay rides, winter holiday window painting contest

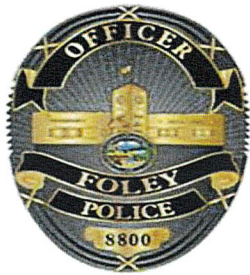
Type of vendors: Food, crafts, gift wrapping

Number of vendors: approximately 20

Committee members: Louisa, Bill K., Debbie, Teresa

Future plans: Meet with Foley Days planners in order to learn from them

Committee meetings will be scheduled the first Thursday of the month at Mr. Jim's, 6:00 pm



# Foley Police Department

## Calls for Service - 2023

|                       | Jan.    | Feb. | March | April | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total |
|-----------------------|---------|------|-------|-------|-----|------|------|------|-------|------|------|------|-------|
| Driving Conduct       | 24      |      |       |       |     |      |      |      |       |      |      |      |       |
| Equipment Vio.        | 48      |      |       |       |     |      |      |      |       |      |      |      |       |
| Speed                 | 20      |      |       |       |     |      |      |      |       |      |      |      |       |
| DWI/DUI               | 0       |      |       |       |     |      |      |      |       |      |      |      |       |
| DAR/S/C               | 2       |      |       |       |     |      |      |      |       |      |      |      |       |
| # Citations Issued    | *6      |      |       |       |     |      |      |      |       |      |      |      |       |
| Accidents             | 1       |      |       |       |     |      |      |      |       |      |      |      |       |
| Hit and Run           | 0       |      |       |       |     |      |      |      |       |      |      |      |       |
| Gas Drive Offs        | 1       |      |       |       |     |      |      |      |       |      |      |      |       |
| Thefts                | 8       |      |       |       |     |      |      |      |       |      |      |      |       |
| Child                 | 19      |      |       |       |     |      |      |      |       |      |      |      |       |
| Controlled Substance  | 1       |      |       |       |     |      |      |      |       |      |      |      |       |
| Suspicious Activity   | 33      |      |       |       |     |      |      |      |       |      |      |      |       |
| Burglaries/Robbery    | 1       |      |       |       |     |      |      |      |       |      |      |      |       |
| Medicals/Welfare      | 29      |      |       |       |     |      |      |      |       |      |      |      |       |
| Assaults/Domestics    | 8       |      |       |       |     |      |      |      |       |      |      |      |       |
| Harassment            | 0       |      |       |       |     |      |      |      |       |      |      |      |       |
| CDP/Vandalism         | 1       |      |       |       |     |      |      |      |       |      |      |      |       |
| Animal Complaints     | 7       |      |       |       |     |      |      |      |       |      |      |      |       |
| City Ordinance        | 3       |      |       |       |     |      |      |      |       |      |      |      |       |
| Parking Tickets       | 38      |      |       |       |     |      |      |      |       |      |      |      |       |
| Disturbing the Peace  | 8       |      |       |       |     |      |      |      |       |      |      |      |       |
| Gun Permits           | 2       |      |       |       |     |      |      |      |       |      |      |      |       |
| Warrant Arrests       | 1       |      |       |       |     |      |      |      |       |      |      |      |       |
| Civil                 | 4       |      |       |       |     |      |      |      |       |      |      |      |       |
| Lockout               | 0       |      |       |       |     |      |      |      |       |      |      |      |       |
| Assist other Agencies | 19      |      |       |       |     |      |      |      |       |      |      |      |       |
| Special Events        | 3       |      |       |       |     |      |      |      |       |      |      |      |       |
| Misc.                 | 73      |      |       |       |     |      |      |      |       |      |      |      |       |
| TZD Hours             | 0 Hours |      |       |       |     |      |      |      |       |      |      |      |       |
| Total:                | 354     | 0    | 0     | 0     | 0   | 0    | 0    | 0    | 0     | 0    | 0    | 0    | 354   |

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

Section 730 – Rental Code

Section 730:00.      Purpose and Intent.

Subd 1.      Purpose:      The purpose of this Ordinance is to protect the public health, safety and welfare of the residents of the City of Foley who have, as their place of abode, a dwelling unit, manufactured home, lot or room furnished to them for the payment of a rental charge to another.

Subd 2.      Intent:      The intent of this Ordinance is to provide a permanent mode of protecting and regulating the living conditions of these residents by providing minimum standards for cooking, heating, and sanitary equipment necessary to the health and safety of occupants of rental property by providing minimum standards for light and ventilation necessary for the health and safety, and minimum standards for the maintenance of existing private and rental residential buildings.

Subd 3.      Savings Clause:      With respect to rental disputes, and except as otherwise specifically provided by the terms of this Ordinance, it is not the intention of the City to intrude upon the fair and accepted contractual relationship between tenant and landlord. The City does not intend to intervene as an advocate of either party, nor to act as an arbiter, nor to be receptive to complaints from tenant or landlord that are not specifically and clearly relevant to the provisions of this Ordinance. In the absence of such relevancy with regard to rental disputes, it is intended that the contracting parties exercise such legal sanctions as are available to them without the intervention of City Government. Neither, in enacting this Ordinance, is it the intention of the City Council to interfere or permit interference with legal rights to personal privacy.

Section 730:01.      Definitions.      The following words and phrases shall have the meanings given them in this ordinance:

- A.      Building:      Shall mean any structure used or intended for supporting or sheltering any use or occupancy.
- B.      Dwelling Unit:      Consists of one (1) or more rooms that are arranged, designed, or used as living quarters. Each room or group of rooms shall be a separate dwelling unit. A rooming house shall be considered a single dwelling unit, but may charge a fee based on the number of sleeping rooms. A structure that is self-enclosed and arranged, designed and used as living quarters to a single family or group of persons under a single lease or agreement shall be considered a single dwelling unit.
- C.      Familial Relation:      Shall mean a legally recognized son, daughter, father, mother, grandfather, grandmother, grandson, granddaughter, sister, or brother.
- D.      Housing Inspector:      Shall mean a designee appointed by the Foley City Council authorized to administer and enforce this Ordinance.

- E. License: Shall mean a provisional license, which is issued after receipt of fees and may be revoked if such rental property is found not to be in compliance with ordinances, codes or statutes.
- F. Lot: Shall mean an area within a manufactured home park or otherwise maintained and made available for occupancy by a manufactured home.
- G. Manufactured Home: Shall mean as provided in Ordinance 319, Zoning Ordinance, Section 4, Subd. 2 (65).
- H. Manufactured Home Park: Shall mean any site, lot, field or tract of land upon which two (2) or more occupied manufactured homes are located, either free of charge or for compensation, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.
- I. Maximum Occupancy: Shall mean that for each occupant in a dwelling unit, 100 square feet of space must be provided.
- J. Occupant: Shall mean any person (including the owner or operator) living, sleeping, cooking, and eating in a dwelling unit.
- K. Operator: Shall mean the owner or agent who has charge, care, control or management of a building or manufactured home park or part hereof, in which dwelling units, manufactured homes, lots or rooming units are let.
- L. Owner: Shall mean any person who, alone or jointly or severally with others, shall be in actual possession of, or have charge, care or control of any dwelling unit, manufactured home, lot, rooming house or sleeping unit within the City.
- M. Person: Shall mean any natural person his/her heirs, executors, administrators or assigns, and also includes a firm, partnership, and limited liability company, cooperative or corporation, its or their successors or assigns, or the agent of any of the aforementioned.
- N. Rental Property: Shall mean a dwelling unit offered for rent or occupied by a person or persons in the status of tenant, but does not include motels. This term shall not include property in which the dwelling unit or manufactured home is owned by the occupant, but the land or lot is rented or leased.

- O. Rooming House: Shall mean a building or structure providing a room or rooms intended for living and sleeping for persons in the status of tenant in which the toilet and kitchen facilities are shared, and the common or shared areas of the structure are actively maintained by the operator. This term shall include boarding houses, day cares, lodging houses, Bed and Breakfasts, fraternity and sorority houses, but does not include hotels, motels, or hospitals.
- P. Sleeping Rooms: Shall mean a room or enclosed floor space in a rooming house or dwelling unit, as defined herein, used or intended to be used primarily for sleeping purposes.
- Q. Tenant: Shall mean one who has as his/her place of abode a dwelling unit, manufactured home, lot, rooming house or sleeping room furnished to him/her for payment of a rental charge to another.

Section 730:02. International Property Maintenance Code Adopted by Reference  
International Property Maintenance Code Adopted by Reference. The International Property Maintenance Code, 2012 edition as published by the International Code Council, is hereby adopted by reference, so far as it applies to rental property, and is made a part of this Ordinance as if fully set out in length.

Section 730:03. License Required. No person shall occupy, allow to be occupied, or let to another for occupancy any dwelling unit in the City of Foley for which a license has not been properly issued by the Housing Inspector. No rental dwelling shall be issued a license by the City unless it complies with the ordinances of the City of Foley and the statutes of the State of Minnesota, which pertain to such properties. A rental property solely occupied by the owner or a familial relation of the owner is exempt from this requirement.

Subd 1. License Fee. The City Council may establish a licensing fee schedule for each dwelling unit or sleeping room in each rental property. The schedule may include a separate fee for licenses, inspections, crime prevention program participation and delinquencies. Said license fees shall be payable at the time of application for licensing or renewal of a license and shall be a prerequisite to the issuance of the required license. Once issued, a licensee shall not be entitled to a refund on any license fee upon suspension or revocation.

- a. Rental property which is licensed as a "Caring Home" (Nursing Home) or a "Boarding Care Home" by the State of Minnesota Department of Health pursuant to Minnesota Statutes Chapter 157 shall be exempt from the registration fee required under this Section. This exception shall not apply if no services are provided to the tenants, or the services are incidental to, or independent of, the landlord/tenant relationship.

- b. If the license fee required hereunder is paid after March 31 for the next license year, penalties shall be imposed as established by the licensing fee schedule.
- c. All licenses shall expire March 31, two calendar years following the year it was issued. Application for any license in which an inspection is required shall be 30 days prior to expiration. For cause, the Housing Inspector may waive the application deadline for an applicant.
- d. A delinquency fee shall be charged to the owner of rental property operated without a valid license. The imposition of this fee by the Housing Inspector may be appealed to the City Council by submitting a request to the City within twenty (20) days of the mailing or posting of the notice of the fee.

Subd 2. License Application. The application for license shall be made and filed on a form furnished by the Housing Inspector for such purpose and shall set forth the following information:

- a. Name, residence address and phone number of the owner of any rental property, or property manager authorized by the owner to accept service of process and to receive and give receipt for notices. In cases where the owner of any rental property lives outside the City of Foley, the license application shall be made by an agent who shall be legally responsible for compliance with this and other City Ordinances. Such agent shall live within Minnesota;
- b. Name, address and phone number of any agent actively managing the rental property;
- c. Street address of the rental property;
- d. Tax parcel number of the rental property or manufactured home park in which the rental property is located;
- e. Number and description of units within the rental property (dwelling units, manufactured homes, or sleeping rooms), including square footage of each room in unit;
- f. Name, address and phone number of the person authorized to make or order repairs and/or service to the rental property, to provide required services necessary to protect the health, safety, and welfare of the occupants, or are able to contact the person so authorized;
- g. Maximum number of people permitted per dwelling unit, manufactured home, lot, rooming house, or sleeping room;

- h. Certification of completion of Crime Free Rental Program, as provided in Section 735 of an owner or an operator with a contract to manage the property.

Subd 3. Manner of Application: The license application shall be made by the owner, if such owner is a natural person; if the owner is a corporation, cooperative or limited liability company, by an officer thereof; if a partnership, by one of the partners; and if an unincorporated association, by the manager or managing officer thereof, on the appropriate form available from the Housing Inspector.

Subd 4. Inspection: All rental units will be subject to a bi-annual inspection conducted by the Housing Inspector, or his/her authorized representative, prior to issuance of the license. The Housing Inspector may grant a license contingent on an inspection being completed within thirty (30) days, if all other requirements, including payment of the license fees, are met. After thirty (30) days, the license shall expire unless the Housing Inspector has certified the required inspection.

Subd 5. License Before Occupancy: All rental property required to be licensed pursuant to the provisions of this Ordinance shall be licensed prior to occupancy or the letting to another for occupancy, and thereafter all licenses of such rental property shall be renewed pursuant to 730:03, Subd. 1(c).

Subd 6. Transfers. Every new owner of a rental property (whether as fee owner, contract purchaser, or otherwise entitled to possession) shall apply for and obtain a license under this Ordinance before taking possession.

Section 730:04. Display of License. Every licensee of a rental property shall conspicuously display at all times on the premises a copy of the current license. This license shall be located on the premises so as to be easily viewed and readable by the occupants of the rental property at or near the front entrance of the building for which it was issued and shall be reasonably protected from wear by a plastic cover or similar protective device.

Section 730:05. Inspection: Right of Entry. In order to insure compliance with this Ordinance's requirements, or upon receiving a written, signed complaint, the Housing Inspector shall have the authority to enter any building or manufactured home park at reasonable times upon notice to the landlord and tenant, to determine if the building or manufactured home park is operated as a "rental property" as defined in this Ordinance or to enforce the Minnesota State Building Code, or both.

Section 730:06. Health Department Inspection. The Benton County Health Department and/or the City Health Official shall have the right to inspect any dwelling, whether rental or owner-occupied, to enforce sanitation requirements.

Section 730:07.      Housing Advisory and Appeals Board.      The City Council shall appoint a Housing Advisory and Appeals Board ("Housing Board") as provided below. In addition to the responsibilities enumerated in the Minnesota State Building Code, the Housing Board shall serve in an advisory capacity in making recommendations concerning the housing and rental programs. It shall be the duty of the Housing Advisory and Appeals Board to study City Ordinances and Codes concerning housing from time to time and to make recommendations for new ordinances. Said Board shall consist of five (5) members of the public not employed by the City. The term of the members shall each be for three (3) years, with a maximum of three full three-year terms. Except in the event of a vacancy, appointments shall be effective January 1 of each year. Appointments shall be effective January 1 of each year and provide for staggered, overlapping terms. The initial appointments shall be made such that two (2) members appointed shall serve for three years, two (2) shall serve for two years, and one (1) shall serve for one year. Any vacancy shall be filled for the remainder of the term in the same manner as an original appointment. If a Board member shall no longer serve in the capacity under which they qualified for appointment, the City Council shall declare a vacancy. The Board members shall continue until their successor has been appointed.

Section 730:08.      Excessive Law Enforcement Calls:      Notwithstanding any finding of the Housing Inspector for other violations, any rental property whose property receives more than one (1) law enforcement call per dwelling unit within a twelve (12) month period, or receives twenty-four (24) law enforcement calls or complaints within a twelve (12) month period, whichever number is less, shall appear before the Foley City Council, upon notice, to review the continuation of the rental license. This review is not an exclusive remedy.

Section 730:09.      Criminal Background Checks.

Subd 1.      Purpose.      The Foley City Council has determined that there are persons residing in rental property in the City of Foley engaging in disorderly conduct which results in a hostile environment for other Foley citizens living near or close to the rental property. It is the declared purpose and intent of this section to protect and preserve the City's neighborhoods and the public health, safety, and welfare of its citizens by providing a system at the local level for criminal history/background investigation of prospective tenants.

Subd 2.      Background Investigations.      Each Operator shall conduct criminal history/background investigations on prospective tenants in rental property through the Benton County Sheriff's Department. No such investigation shall be conducted using the state Criminal Justice Data Communications Network (CJDN) and no information obtained from the CJDN shall be disseminated unless the Operator presents an Informed Consent/Waiver form signed by the prospective tenant. The Informed Consent/Waiver form must meet the requirements of Minnesota Statutes Section 13.05, Subd. 4 (d). Each request must be on a form approved or provided by the Benton County Sheriff's Office. The Operator shall pay a fee as established by Council resolution.

Section 730:10.       Landlord Liability.       The owner of a rental unit, manufactured home park, rooming house or sleeping room shall be responsible to cause persons occupying the rental unit to conduct themselves in such a manner as to not cause the premises to be in violation of the prohibition against noise as set forth in the City of Foley Noise Ordinance, nor to allow to exist on the premises a public nuisance.

Section 730:11.       Applicable Laws.       Licensees shall be subject to all of the Ordinances of the City of Foley and the applicable State and Federal laws relating to dwellings. In the event this Ordinance conflicts with any other applicable ordinance or law, the more restrictive shall apply.

Section 730:12.       Enforcement.       Enforcement of this Ordinance is accomplished by the Housing Inspector who is authorized to conduct inspections, issue licenses, investigate complaints, and seek penalties of property owner(s) found to be in violation.

Section 730:13.       Penalty.       Any person who operates rental property in violation of this Ordinance shall be guilty of a misdemeanor and subject to the maximum penalty permitted by law. Each violation of this Ordinance shall constitute a separate offense. As an alternative to criminal penalties, the City may seek the following corrective action. The Housing Advisory Board will consider such penalties and/or actions after providing written notice and an opportunity to be heard to the owner of the rental property.

Subd 1.       Suspension or Revocation.       Every operating license issued under this Ordinance is subject to suspension or revocation. If the City suspends or revokes an operating license, it shall be unlawful for the owner or the duly authorized agent to thereafter permit any new occupancy of vacant or thereafter vacated rental units until the operating license is restored. Current tenants will be allowed to remain until the end of their lease or one (1) year, whichever is less. In the case of revocation, restoration of the license shall occur only after the premises' owner has applied for a new license, paid a new application fee and complied with all sections of this or any applicable City Ordinance.

Subd 2.       Hazardous Building Declaration.       If a dwelling is unfit for human habitation and the owner has not remedied the defects within a prescribed reasonable time, the dwelling may be declared a hazardous building and treated consistent with state law.

Section 730:14.       Rental Code.       This Ordinance shall be known as the City of Foley Rental Code.

Section 730:15.       Severability.       Every section, provision or part of this ordinance is declared severable from every other section, provision or part; and if any section, provision or part hereof shall be held invalid, it shall not affect any other section, provision or part.

-

Section 730:16. Effective Date. This Ordinance shall be effective immediately upon its passage and publication, except as follows:

- A. Existing rental properties (those operating as such on the Effective Date) will be required to apply for a Rental License by March 1, 2008, and obtain a license by March 31, 2008; and
- B. Dwelling units already constructed, or having obtained a building permit, but not used as a rental property on the Effective Date, is exempt from requirements of 730:03, Subd. 2(h) for any license obtained within ninety (90) days from the Effective Date.

Section 730 was added to the 1974 Code of Ordinances by Ordinance Number 376, adopted March 6, 2007 and published March 20, 2007.

Section 730:02 was amended by Ordinance Number 418 and Ordinance Number 419, adopted November 18, 2014, published and effective November 25, 2014.

Section 730:02 was repealed and replaced by Ordinance Number 441, adopted March 5, 2019, published and effective February 12, 2019.

**From:** JD Krause  
**To:** Sarah Brunn  
**Subject:** Re: 640 4th Ave N  
**Date:** Tuesday, January 17, 2023 12:42:26 PM  
**Attachments:** image001.png

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Hello Sarah:

We are approaching 90 days since you placed the I&I fine on hold at the bank/owner's request. We appreciate your agreeing to allow this, unfortunately the property is still occupied by the former mortgagor at this time, and redemption period does not expire until 4/12/23 . As soon as the owners can gain access to the property I expect they will promptly try to correct the issues causing the sewer violation. Would it be possible for you or the council to approve an additional 90 days to 4/25/23? Our hope is the occupant will agree to vacate by the end of redemption on 4/12/23.

*Thank you,  
Jon Krause*

***Fran Altman Team, Coldwell Banker Realty***

*2680 W St Germain St.*

*St. Cloud, MN 56301*

*jdkrause2015@gmail.com*

*jungle@cbburnet.com*

*Cell 320-267-4771 Fax 320-253-7185*

On Tue, Oct 25, 2022 at 10:05 AM Sarah Brunn <[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)> wrote:

Jon –

I can only give you 90 days – beyond that it needs to get council approval. I will get a letter drafted to the property owner (which I believe is listed as the bank) and also email you a copy of this.

Thanks.

**Sarah A. Brunn**

**City Administrator**

[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)



**City of Foley**

**251 4<sup>th</sup> Avenue North**

**P.O. Box 709**

**Foley, MN 56329**

**[www.ci.foley.mn.us](http://www.ci.foley.mn.us)**

**320-968-7260 Office**

**320-968-6325 Fax**

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**From:** JD Krause <[jdkrause2015@gmail.com](mailto:jdkrause2015@gmail.com)>

**Sent:** Monday, October 24, 2022 1:18 PM

**To:** Sarah Brunn <[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)>

**Subject:** Re: 640 4th Ave N

A little over 5 months redemption remains. I they can get the occupants to agree to vacate sooner they will. Through the end of redemption would be nice if that can be done.

On Mon, Oct 24, 2022, 12:54 PM Sarah Brunn <[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)> wrote:

Jon –

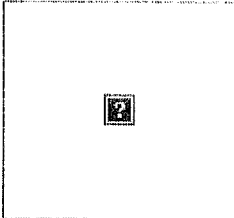
How long is the redemption period – or when would the bank take over?

Thanks.

**Sarah A. Brunn**

**City Administrator**

[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)



**City of Foley**

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**320-968-7260 Office**

**320-968-6325 Fax**

---

**From:** JD Krause <[jdkrause2015@gmail.com](mailto:jdkrause2015@gmail.com)>

**Sent:** Monday, October 24, 2022 12:35 PM

**To:** Sarah Brunn <[sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)>

**Subject:** 640 4th Ave N

Hello Sarah:

Please let me know what you find out about the I&I at this address.

*Thank you,  
Jon Krause*

***Fran Altman Team, Coldwell Banker Realty***

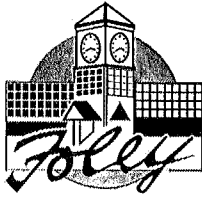
*2680 W St Germain St.*

*St. Cloud, MN 56301*

*jdkrause2015@gmail.com*

*jungle@cbburnet.com*

*Cell 320-267-4771 Fax 320-253-7185*



## City of Foley

251 4<sup>th</sup> Avenue North • P.O. Box 709

Foley, Minnesota 56329

(320) 968-7260 • Fax (320) 968-6325

[www.ci.foley.mn.us](http://www.ci.foley.mn.us) • email: [sbrunn@ci.foley.mn.us](mailto:sbrunn@ci.foley.mn.us)

October 26, 2022

Lvs Title Trust Xiii  
Umb Bank Na, Trustee  
C/O Rushmore Loan Mgmt Svc LLC  
15480 Laguna Canyon Rd Ste 100  
Irvine, CA 92618

Re: Sanitary Sewer I/I (Inflow/Infiltration) Inspection **640 4<sup>th</sup> Avenue N**

Dear Property Owner:

The above property is currently in violation of city ordinance, *Section 310 – Prohibiting Storm Water Disposal Into the Sanitary Sewer System*, and is being fined \$75 per month. After internal review, **the city has agreed to your request to suspend the monthly fine until Jan. 25, 2023.** If after this date the property remains in violation, fines will resume beginning with the February 2023 water/sewer billing.

For the property to be in compliance, the owner must complete the necessary repairs and schedule a re-inspection with the city inspector. The property must then pass inspection before it will be considered compliant.

Thank you for your cooperation.  
Sincerely,

Sarah A. Brunn  
City Administrator

cc: Spencer Cossalter, SEH



2022 TH 23 UTILITY IMPROVEMENTS  
FOLEY, MN  
SEH NO. FOLEY 158958

6/30/2022

| ITEM NO.                           | ITEM DESCRIPTION                            | UNIT OF MEASUREMENT | UNIT PRICE | APPROXIMATE QUANTITY | TOTAL               |
|------------------------------------|---|---------------------|------------|----------------------|---------------------|
| <b>9TH AVENUE STORM RELOCATION</b> |   |                     |            |                      |                     |
| 1                                  | REMOVE DRAINAGE STRUCTURE                   | EACH                | \$700.00   | 2                    | \$1,400.00          |
| 2                                  | REMOVE SEWER PIPE (STORM)                   | LIN FT              | \$12.00    | 406                  | \$4,872.00          |
| 3                                  | CONNECT TO EXISTING STORM SEWER PIPE        | EACH                | \$1,250.00 | 2                    | \$2,500.00          |
| 4                                  | 36" RC PIPE SEWER DESIGN 3006 CL III        | LIN FT              | \$176.00   | 460                  | \$80,960.00         |
| 5                                  | CONSTRUCT DRAINAGE STRUCTURE DESIGN 60-4020 | EACH                | \$8,500.00 | 3                    | \$25,500.00         |
| 6                                  | CASTING ASSEMBLY                            | EACH                | \$800.00   | 3                    | \$2,400.00          |
|                                    |   |                     |            |                      | <b>\$117,632.00</b> |
| CONSTRUCTION                       |   |                     |            |                      | <b>\$117,632.00</b> |
| CONTIGENCY                         |   |                     |            |                      | <b>\$5,881.60</b>   |
| ENGINEERING                        |   |                     |            |                      | <b>\$13,466.18</b>  |
| GEOTECHNICAL                       |   |                     |            |                      | <b>\$1,764.48</b>   |
| FISCAL, LEGAL, ADMIN               |   |                     |            |                      | <b>\$8,234.24</b>   |
| TOTAL PROJECT COST                 |   |                     |            |                      | <b>\$146,978.50</b> |
| 50% CITY                           |   |                     |            |                      | <b>\$73,489.25</b>  |
| 50% SCHOOL                         |   |                     |            |                      | <b>\$73,489.25</b>  |

C:\Users\SarahBrunn\AppData\Local\Microsoft\Windows\NetCache\Content.Outlook\DU21JCZJ\Foley158958\_City Storm Only (002) (002).xlsx[SHEET1

City/Town Foley

PRESS HARD

# WRITE-IN TALLY

(General Election Only)

Precinct \_\_\_\_\_

November 8th 2022

| Office              | Name             | No. of Votes |
|---------------------|------------------|--------------|
| US Rep District 6   | Todd Sternberg   | 1            |
| Mayor City of Foley | Shane Keating    | 1            |
|                     | Bob Phlueber     | 1            |
|                     | Adam Foss        | 1            |
| Foley City Council  | Tim Gondeck      | 1            |
|                     | Philip Kremer    | 1            |
|                     | Debbie Vizenor   | 1            |
|                     | Chad Erickson    | 1            |
|                     | Mrs Tom Demarais | 1            |
|                     | Elliott Brenny   | 1            |
| Foley School Board  | Pamela Vizenor   | 1            |
|                     | Dan Hanes        | 2            |
|                     | Emily Lachinski  | 1            |
|                     | Georgia Holewa   | 1            |
|                     | Glenn Holewa II  | 1            |
|                     | Mark Sisco       | 1            |
|                     |                  |              |
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# WITS  
SeaChange Printing, LLC

Steph Bantley  
Judge of Election  
Wick Wandy  
Judge of Election  
Jan Ratke  
Judge of Election

To the Foley City Council

My name is Gerard Butendorf and I would like to finish out the two years Jack Brosh has left as a councilmember. In the last eight years, I was a councilmember for two years and the last six years I was the mayor. I am up to date on what the city is doing and that would help to keep the city moving forward. In my eight years, I made every council meeting and many other meetings for the city. I am willing to do whatever I can for the city and hope you will consider appointing me to finish the last 2 years. Thank you,  
Gerard L. Butendorf

Brittany Ratke  
74 Harvest St  
Foley, MN 56329  
612-759-9602  
Brittany.gravelle@gmail.com

January 30<sup>th</sup>, 2023

Mayor Brosh & Foley City Councilors  
c/o Sarah Brunn, City Administrator  
PO Box 709  
241 4<sup>th</sup> Avenue N  
Foley, MN 56329

Dear Mayor Brosh & Honorable City Council Members,

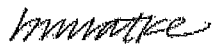
I would like to submit my letter of interest for consideration of appointment to complete the remaining term of the Foley council seat recently vacated by Councilor Brosh.

Although I am a relatively recent resident of Foley (August 2019), I have extensive experience in board involvement, public service, leadership, and advocacy. Included in my history of experiences are: 6 years as Senior Client Advocate in my professional career, serving diverse clientele and advocating for change in their policies/procedures while serving on the training committee, charity committee, and awarded CSA of the year in the state of MN, as well as placing in the the National Competition. As a mother with a child who has severe medical needs, I have been pushed into and successfully leading advocacy for rare disease through co-hosting rare disease podcasts, advocating for inclusion on large- and small-scale settings, and advocacy for policy change/procedures in medical facilities and care centers. Finally, dating way back to my early leadership years, I served on school council from early elementary, all the way through my high school years, where I served as the secretary. As well as the secretary in DECA committee and three sport high school athlete, serving as captain on each respective team.

I am a skilled communicator with a strong history of effective and sincere engagement with diverse people across multiple platforms. I consider myself an inviting listener who will work to increase participation in the processes that shape our community's future. I am analytical and neutral in my approach to new information, while bringing with me valuable and insightful experience, which allows me to pivot my lens to consider both the micro and bigger picture. I am open in my approach to ideas and concerns, with a steady goal towards outcomes affecting the greatest number of constituents in the most positive of ways. I feel I would bring to the council a fresh perspective, cheerful outlook, and enthusiastic energy for Foley's future.

I look forward to hearing from you and invite any individual questions you may have.

Sincerely,



Brittany M. Ratke



9855 W 78th St, Ste 100  
Eden Prairie, MN 55344

TO:

City of Foley

Re: Brittany Ratke

City Counsel Membership Recommendation

Dear Friends:

My name is Brandon Schuh and I'm a Senior Vice President at Christensen Group. My role here at CG is multi-faceted but I lead the Product Liability and Sharing Economy practice nationwide (and globally) for the firm. Brittany Ratke is an incredibly crucial part of the team within these practice groups and within the organization. We've worked together now for about three years.

Brittany is a consummate self-starter; she's entrepreneurial, curious, driven, and eager to expand the footprint of the team within the spaces we work and to do what's right by her clients. She would make an incredible leader within the Foley community. My personal background has never lead to politics or city governance but obviously when you're representing a constituency (and a community), communication and listening skills are paramount. In our business, those are the two fundamental skills needed to excel. Brittany applies those skills better than anyone; her genuine curiosity and empathy for everyone she encounters on a daily basis enhances those skills and enriches the experience for our clients and partners.

We're lucky to have Brittany on our team. I can't think of anyone better suited this role within the Foley community (or any community). She has my full support and please reach out to me with any questions that you might have.

Very truly yours,

Brandon Schuh, SVP | Christensen Group Inc

January 31<sup>st</sup>, 2023

To whom it may concern:

This letter is to express my interest in the vacant councilmember seat for the City of Foley. The following is a brief introduction and history of myself and why I believe I would make a good appointment to the city council.

I am a 10-year resident of Foley, originally from St. Cloud. My wife was originally from Gilman and graduated from Foley High School. We knew from the beginning that we wanted to start and raise our family in Foley. We have three children, two of which currently go to Foley Public Schools.

I received my Bachelor of Science degree in Marketing and Business Law from St. Cloud State University. I graduated with my Master of Business Administration degree from Western Governors University in 2018.

I have been the Market President for Falcon National Bank of Foley since February of 2021. Falcon National Bank is a community bank with roots that were started right here in Foley. This career change has allowed for me to be active in things that I am passionate about...family, people, and community. Prior to Falcon National Bank, I served as General Manager for 3 large department stores in St. Cloud.

I currently serve on many boards and active within many organizations within Foley:

- Foley Area Chamber of Commerce, Board Member
- Foley Economic Development Committee, Chair
- Foley Lions Club, Member
- Foley Area Community Foundation, Board Member
- Foley Booster Club, Board Member

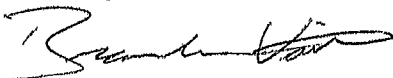
Besides what is mentioned here, I am philanthropic with my time and resources in serving and assisting many organizations that I care about.

It is my feeling that I could serve without conflict from my position at Falcon National Bank, as I pride myself by acting with integrity. I understand with the kinds of positions I hold, comes the responsibility of confidentiality, and this would be no different. If it would ever appear to be a conflict to my fellow councilors, should I be appointed, I would respectfully resign.

I would aim to make intelligent decisions regarding the best possible approach to move our city forward in a fiscally responsible and appropriate manner. Communication with the citizens, department heads, and strategic partnerships with other governmental agencies would be another area of focus.

I enjoy people, I enjoy visiting and listening to others about their thoughts and feelings. I enjoy learning about old ideas and new. I enjoy being optimistic. I empathize with history but embrace change and I believe that it will be change that truly welcomes Foley's future.

Sincerely,



Brandon Voit  
159 Lone Ridge Ln  
Foley, MN 56329  
320.224.7645  
voit.brandon1@gmail.com

**TO:** FOLEY CITY COUNCIL  
**FROM:** SARAH BRUNN, CITY ADMINISTRATOR  
**SUBJECT:** 02-07-23 –COUNCIL MEETING  
**DATE:** FEBRUARY 3, 2023

---

### **Juneteenth/July 3<sup>rd</sup>**

Juneteenth falls on the Monday of Foley Fun Days which is an extremely busy time for city staff so we must be present. Staff is requesting that city offices/public works be allowed to close on Monday, July 3<sup>rd</sup> this year in lieu of the Juneteenth holiday. We would re-open then on Wednesday, July 5<sup>th</sup>. Keep in mind, we do have facilities (pools and parks) that run over the holidays so some minimal public works hours will be scheduled. The personnel committee has discussed this and is recommending approval.

### **Fire FEMA Grant – Memo of Understanding**

The council is being asked to approve a FEMA grant application with the City of Rice. This is for an application for replacement radios that will require a 5% match from the City of Foley of approximately \$10,971 plus grant writer fee. The grant would cover 95% of the equipment costs and this cycle Rice will be managing the administration of it. The matching funds will come from the fire operating budget.

### **Transfers Resolution**

A resolution is being presented to perform the 2022 year-end transfers. These transfers are all a part of the approved 2022 budget and need to be done prior to the city audit.

### **Vet Clinic – Closure of 3<sup>rd</sup> Avenue**

The vet clinic is again requesting closure of 3<sup>rd</sup> Avenue to conduct their horse clinic on April 8<sup>th</sup>. Please see attached letter. The council is also asked to approve the indemnification agreement which requires them to also provide insurance for the event. This event has been held for numerous years with no issues.

### **Foley Welcome Signs**

The Economic Development committee will be presenting a proposal to apply for another art grant to replace the welcome signs along Highway 23. The signs are in great need of replacement. They will be asking for council support to help administer the grant – as we did with the art mural project. They will also be seeking some financial support in the 2024 budget.

### **Proposed Winterfest Event**

A small group of individuals has asked to be placed on the agenda to discuss a winter festival. Some summary information has been provided in your packet.

### **Advocate for Health**

We planned for Joel to come to the February meeting since he was not able to make it in January due to the weather. Please bring your materials from the first meeting in January with you to the meeting.

### **Highway 23 Pedestrian Crossing**

I have again placed this item on the agenda for discussion. Staff will provide an update. Please bring your materials from the prior council meeting with you.

**Rental License Renewal Periods**

City staff would like to discuss with the council the possibility of changing the rental licensing frequency to three years – instead of two. The reason being is the majority of our units have been through multiple cycles of the program with little to no needed repair items when we come to inspect. Adding a year to the license period would be a wash to the city finances because the fees we charge are primarily for the building inspector to conduct the inspections. The building official is also supportive of this change to three years. A longer licensing period would also free up some resources to instead focus on those few units that struggle with rental license compliance. A copy of the code is also included in your packet.

**I/I Compliance Waiver**

We have received another request to waive the I/I penalties on property that is currently in the foreclosure process. Staff already granted one extension but seeks council approval to grant another. A copy of the original letter and email request is in your packet.

**Foley Schools – Storm Sewer Relocation**

I will be providing a staff update on the storm sewer relocation of Highway 23 and how to move forward with the cost-share with the school system.

**Building Code Compliance Items**

I would like to have a discussion with the council on how we handle building code compliance issues and the steps you would like staff to take in these instances. I will provide more information at the meeting.

**New Business – Councilmember Vacancy**

We have received 3 letters of interest for the councilmember vacancy. I also have included a listing of the write-in candidates we received at the last election.

**2<sup>nd</sup> Open Forum**

Mayor Brosh has requested a change in the open forum component so your agenda does look a little different with 2 open forums.

**Upcoming Reminders:**

February 16<sup>th</sup> – Fun with Police – City Hall – 4-6pm

February 20<sup>th</sup> – President's Day – City Offices Closed

April 10-12<sup>th</sup> – City Audit Fieldwork