

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – February 7, 2023

The Foley City Council held their regular meeting on Feb. 7, 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 Gondeck, seconded by Swanson, to approve the agenda.

Motion carried, unanimous.

Motion by Swanson, seconded by Gondeck, to approve the 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 3rd Avenue for vet clinic on April 8, 2023.
- Approve hold harmless agreement for April 8, 2023 vet clinic event.
- Approve payment of bills.

Motion carried, unanimous.

Mayor's Open Forum

Debra Olson, 600 Dewey Street, addressed the council stating that the City Administrator had waived the I&I penalty on 640 4th Avenue N. She wanted to know why this property was given special consideration as it was not fair to the other residents who are currently being fined for their failure to comply with the I&I ordinance.

Mathiowetz explained to Olson that the decision had not yet been made.

Foley Economic Development Committee

Brandon Voit presented a proposal for replacing the city's welcome signs. The signs on the east and west entrances of town are weathered and/or damaged. The city has also received a request to relocate one of the signs since it is currently on private property. The committee proposes the city do a project similar to the 4th Avenue mural that would involve asking the Central Minnesota Arts Board (CMAB) for a grant. The funds would allow the city to ask artists to submit designs for the new signs.

Sarah Brunn, City Administrator, added that the staff could also ask for input from residents (again similar to the mural project).

Discussion followed.

Motion by Swanson, seconded by Gondeck, to approve the city to act as agent in the application and pursue grant funding for the welcome signs.

Motion carried, unanimous.

Discussion on 2023 Proposed Winterfest Event

Louisa Thompson and Bill Kalton gave an overview of the proposed Winterfest Event. Thompson explained that she'd suggested the idea on a resident forum on Facebook and had received a strong positive response. The group has since formed a committee to discuss ideas. The event would be similar to Foley Fun Days. Some of the ideas included a Christmas tree lighting, arts and crafts, a petting zoo, and a parade. The committee had started meeting at Mr. Jim's on Thursday nights. Thompson asked for the council's support in moving forward. Discussion and questions followed.

Brunn stated that staff had encouraged the group to reach out to the Foley Civic Group and other local organizations who have organized events. There are issues such as liability insurance, restrooms, and snow removal that would need to be considered. Mark Pappenfus, Director of Public Works, agreed that snow removal could be the biggest problem.

Kalton added that the Foley Area Chamber of Commerce might agree to covering the liability insurance for the event.

Brunn asked direction from the council on how much staff time should be used for the event. Staff is already very involved in Fun Days.

Mathiowetz stated she had been attending group's meetings to provide some guidance.

The council's response to the proposed idea was generally positive and asked the group to submit a more formalized plan for consideration.

Advocates for Health – AED Presentation

The spokesperson for the group was not in attendance.

Department Reports

Police Department

Chief Katie McMillin gave an overview to the council. The department has an upcoming Fun with Police event on Feb. 16. Activities would focus on anti-bullying and kindness for kindergarten through 6th graders. The stat report for January showed 354 calls. January is usually the slowest month, but there were more calls than expected for this time of year. Driving conduct calls were up along with incidents at the school. Domestic assaults were up – which is alarming as they are dangerous calls for both residents and officers. Interviews for the part-time officer position is next Monday with the Personnel Committee. Discussion and questions followed.

City Engineer

Jarod Griffith gave an update on the Hwy 23 pedestrian crossing signs. Broadway is a good candidate for the solar powered signs. The location at the roundabout is a concern for solar because of tree coverage. The recommendation is for a hard wire connection for these signs. He also stated there are ongoing conversations with MNDot.

Brunn added that staff has had long conversations with the District 3 MNDot representative as to why the design and pre-design of the project was not eligible for the TA funds. The 2017 bonding bill showed that pre-design and design costs were included for the pedestrian crossing. The representative did not believe that MNDot would cover the costs, but did agree to check on if the city could be reimbursed for those funds. Brunn stated that the city is currently meeting the minimum standard for the crossings. Discussion and questions followed.

Public Works and Fire Department

Pappenfus gave an overview to the council. Public Works is doing a lot of plowing as well as cleaning up around hydrants and intersections. He also stated that the lead and copper report is due in 2024. Public Works will inventory the water pipes. Currently, there is a law going through that state that will force people to replace their private water service – still a year out. Pappenfus also shared that water pumped last year was down 4.8% and water use was down 5.4%. Brunn added that this is significant because it changes some of the revenue projections.

Pappenfus directed the council to their packets and a quote for an air compressor, storage bottles, and fill station. Funds would come from the 2021 assistance grant the Fire Department received last year. He asked the council for permission to purchase those items using the grant funds.

Motion by Gondeck, seconded by Mathiowetz, to proceed with the purchases for the Fire Department using the grant funds.

Motion carried, unanimous.

Pappenfus added that the 2022 fire assistance grant application was open until Feb. 10. The department is doing a regional grant with the Rice Fire Department to replace the radios. The radios are 15-years old. This item was approved in the consent agenda. The city will be responsible for approximately \$11,000.

Pappenfus also stated that Assistant Fire Chief Larry Nadeau's retirement is official. The department will be working to fill that position and bring the recommendation to the council.

Administration

Sarah Brunn gave an overview to the council. Staff has discussed and the Building Official has recommended changing the rental license (currently two years) to a three-year renewal period. The change to a three year license would give current licenses more time between renewals and eliminate work for staff. Staff would still address new rentals and/or complaints. She asked the council for their thoughts. The current rental code would need to be amended. Discussion and questions followed.

Motion by Brosh, seconded by Gondeck, to have staff bring forward an amendment to change the rental license code to a three year.

Motion carried, 3 – 1 with Gondeck, Brosh, and Swanson voting aye. Mathiowetz voted nay.

Request for I&I Compliance Extension (waiver of fees) – 640 4th Avenue N

Brunn gave an overview to the council. The property at 640 4th Avenue N was foreclosed on in the fall of 2022. The bank anticipated being able to get into the house by December/January, but the former owners had not yet vacated and would not let them in to make the I&I repairs. The bank paid all the

previous I&I fines levied during the previous year before they were assessed to the property. The bank asked for an extension. Discussion followed. The council denied the banks request for an extension.

School Storm Sewer Reimbursement

Brunn provided background regarding the school storm sewer. The storm sewer was put in for the school back in the early 90's. The city has added some flow to the sewer. The city agreed to take ownership of it because at the time MnDOT would not allow the school to own it as it sat in the right-of-way. The majority of the flow is from the school. The sewer had to be moved for the Hwy 23 project. The school has concerns that it can't use school funds to pay the city for the cost to move the storm sewer. Discussion and questions followed. Brunn stated there was no formal agreement with the school. Staff has offered to split the cost 50% with the school, but the school is struggling to figure out which funds can be used to pay their half. More discussion. Council agreed to a proposal to set up an agreement with the school to pay over three years. Staff will follow-up again with the school.

Building Code – Change in Occupancy

Brunn gave an overview to the council regarding some buildings in town who are in violation of the change in occupancy building code. If a building sits vacant for over a year, it is required by law for a building inspection to take place. City staff and the Building Official are struggling with refusing to comply and schedule an inspection. These are codes regarding commercial properties are particularly of concern as commercial buildings host public events and which require compliance with additional state codes. Discussion and questions followed. Brunn asked the council if they would like staff to pursue prosecution. The council agreed and directed staff to pursue prosecution.

Old Business

Pappenfus and Brunn gave an update on the wastewater project. Work stopped in December due to the cold. Work will resume as weather improves. Contractor may work on the Brittany lift station on County Rd 51 in March. The pipe will start up again in mid-April.

Brunn gave an update on the bonding bill money. There is currently discussion on two possible bonding bills at the state. There is also discussion on splitting up critical agency funding. The Democrats might push one through. The other would require Republican support. There also might be another option that would allow the city to get paid back if the funds come through later. Staff is also working with the county and township on a property acquisition for the odor control structure. The goal is to be ready to build in the spring.

Discussion on Vacant Councilmember Position

Three candidates expressed interest in the open seat: Gerard Bettendorf, Brandon Voit, and Brittany Ratke. Discussion and questions followed.

Motion by Gondeck to appoint Ratke.

Motion did not receive a second. Motion failed.

Motion by Mathiowetz seconded by Swanson, to appoint Voit.

Motion carried with Mathowetz, Brosh, and Swanson voting aye. Gondeck voted no.

New Business

No new business.

Motion by Gondeck, seconded by Swanson, to adjourn.

Motion carried, unanimous.

Meeting adjourned at 6:45 p.m.



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