

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – July 11, 2023

The Foley City Council held their regular meeting on July 11, 2023, at 5:30 p.m. at Foley City Hall.

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

The pledge of allegiance was recited.

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

Motion carried, unanimous.

Motion by Gondeck, seconded by Voit, to approve the consent agenda:

- Approve minutes of June 6 & 20, 2023.
- Approve Narcan policy – Foley Police Department.
- Adopt Resolution #2023-08 Accepting Donations.
- Approve Benton County Fair Contract.
- Accept grant for Foley Fire turn out gear dryer and authorize purchase.
- Approve reimbursement of WSI class fee for 2023 Swim Instructors.
- Approve payment of bills.

Motion carried, unanimous.

Wastewater Regionalization Project Update

Jared Voge from Bolten & Menk gave an overview of the project and recommended approval of payment of Payment Estimate #10 for \$1,658,780.85. The amount includes work completed through June 30. The project is 75% completed. Contractor is moving toward connection location in St. Cloud. Expect delivery of transformer for electrical station by the end of September. The generator is expected in November. The project may be completed before the lift station generator arrives. The team is working through those details. Might need to use a portable generator if needed to push the water to St. Cloud. The odor control building is under construction.

Motion by Gondeck, seconded by Mathiowetz, to approve payment of Payment Estimate #10 for \$1,658,780.85.

Motion carried, unanimous.

Coalition of Greater MN Cities Legislative Update

Darrin Lee from the Coalition of Greater MN Cities gave an overview from the legislative session. The Coalition is an advocacy group that represents cities outside of the metro area and focuses on local government aid, transportation, employment, annexation, and economic development. Top priorities for 2023 include asking the legislature for \$150 million increase for LGA. Every 10 years the Coalition tries to recalibrate as needs change with the cities. There were some good outcomes from the session this year, including passage of the bonding bill and the PSIG money Foley was promised for the wastewater project. Lots of money spent in this year's bonding bill. The volume and speed of legislation has not been seen before. Public safety aid was a new proposal this year that passed. Foley will be receiving approximately \$118,000 to be used for fire and police. Child tax credits were also

another priority. The session ended with the largest infrastructure package in Minnesota history. Lee concluded his remarks by saying that on the environmental front that lead pipes is an issue all over the state and something to watch for.

Mark Pappenfus, Director of Public Works, stated that staff is inventorying lead pipes and that mostly Foley has just lead goosenecks.

Lee explained that those would still need to be mapped. The Coalition is asking for \$250 million to help. All cities would be eligible. The funding would come through the Department of Health.

Discussion and questions followed.

Consider Removal of Sprinkler Sewer Charges in 2024

Sarah Brunn, City Administrator, gave an overview to the council of the estimated revenue impacts of implementing a winter sewer program. Staff created a worksheet to compare 2021 – 2023 to calculate all residential water usage by month to show how much usage varies in winter vs. summer. The calculated revenue loss used 2023 sewer rates (\$1.95 per 100 gallons). If you lock in the winter sewer charge for five months over the summer watering season, the revenue loss would be between \$55,000 and \$90,000. This year's losses would have been very high given that it's a dry year and usage is up. Based on these figures, staff estimates in order to cover the losses the minimum water/sewer rate would need to be raised \$5 - \$8 overall. This number was higher than staff expected.

Discussion and questions followed.

Brunn explained that implementing a winter sewer rate would affect everyone. The city must prove to the PFA that we're going to generate enough revenue to make the payments. The winter sewer rate is the easiest to implement. It's also the most equitable as everyone would benefit but everyone would also pay more. The challenge is finding a way to generate new revenue. No action is needed at this time.

Discussion and questions followed. Discussion will continue during the budgeting process.

Mayor's Open Forum

Adrianna Brenny, 621 Norman Avenue N, addressed the council stating that she was fine with raising the minimum rate across the board. It's better than paying as much as we are now. More fair to everyone. People watering and filling pools shouldn't be subsidizing the city.

Bruce Thompson, 1133 Golf Court, stated that the \$90,000 is coming from people who sprinkle and fill pools. It's better to raise the minimum.

Mathiowetz stated that the extra dollars on the minimum water/sewer bill could be a hardship for families with low income.

Jonathan Brenny, 621 Norman Avenue N, asked if new development would help to pay for the revenue shortfall. He also asked if the extra \$5 a month would be that difficult for people seeing as everyone would benefit from the change.

Evelyn Kirby, 50 Broadway Avenue N, asked what the impact would be if townhomes with separate sprinkler meters were to discontinue service as her townhome HOA was considering discontinuing their sprinkler service.

Discussion and questions followed.

Debra Olson, 600 Dewey Street, stated she saw how a winter sewer rate across the board would be more acceptable.

Jonathan Brenny, 621 Norman Avenue N, said as a realtor he's never had anyone say they wanted to sell their house because of the water rate. He said it went back to making residents pay for service they are not using. He said more developers coming in will help add back to the sewer fund.

Brunn added that part of reason for the investment into the wastewater project was to help grow Foley and if we see growth that will help fund the overall system. She asked the council if there was any other information they would like to see but the council did not have further questions at the time.

Department Reports

Police Department

Chief Katie McMillin gave an overview to the council. The department had 387 calls in June. This is a high number, especially with traffic enforcement numbers being down. Suspicious activity is up. She encouraged everyone to call and make reports when they see something. Medicals and ordinance violations are up. Animal complaints are also up. McMillin reminded everyone that the city requires dogs be licensed and leashed and asked for dog owners to pick up after their animals. Last weekend, there were two incidents (same dog) where a dog lunged at officers and the officers had to defend themselves. The Bike Rodeo last month was well attended with 146 kids – the largest turnout ever. She thanked staff and Public Works for their help. She also thanked the organizations who contributed donations. She reminded council that Thursday was the Root Beer Float social with the Police Department from 1 p.m. – 2:30 p.m.

McMillin also asked for feedback from the council on the cannabis ordinance that Benton County had drafted, which would put restrictions in place for public areas such as parks and the pool. The city could put their own ordinance in place. McMillin stated that while cannabis will not be legal the city should keep in mind the health and safety of everyone.

Discussion and questions followed with the council expressing support for the Benton County ordinance.

McMillin stated that the county's ordinance is still in the drafting stage, but the city could follow the same ordinance. Violation of the ordinance would be considered a misdemeanor unless the county added something more drastic.

McMillin also shared that the part-time position for the department that was discussed with the Personnel Committee is budgeted for the current 2023 budget. She asked the council for authorization to talk to the union to set up the position. The new position would be a permanent, part-time employee under 30 hours per week. If they worked over 30 hours, they would qualify for benefits.

Motion by Gondeck, seconded by Mathiowetz, to authorize Chief McMillin to talk to the union to create a permanent, part-time position.

Motion carried, unanimous.

City Engineer

Mark Pappenfus, Director of Public Works, gave an overview to the council. Hwy 23 is now open. There are still some items crews are working on. Staff is waiting on final approvals from MnDot for the radar feedback signs.

Public Works

Pappenfus shared with the council that staff had been meeting with seven industrial users to discuss water/sewer needs. The city may need to update the ordinances regarding chemical storage so it doesn't get dumped in the sewer. The ordinance would need to be more stringent to align with St. Cloud's regulations. He told the council he would have more information in the next three months. The issue will need to be resolved before the city can hook up to St. Cloud.

Other items of note from Public Works – Foley Fun Days went well. The department is cutting trees in the parks, and painting. The pool safety inspection was good. The department hasn't done any recent flushing. Usage is up. We're okay on water at the moment.

Fire Department

Pappenfus gave an overview stating that the department had four calls that day. The CIP 2025 allows for a replacement of tanker #3 and with lead times the department would like to start a truck committee. If the order was placed today, it would be well into 2025 before the truck would arrive. The cities of Sauk Rapids and Rice are also looking at purchasing tankers. If all three cities work together and order from the same vender, it might save money. It would come back to the council late this year before any purchase for approval. The truck committee would do the research. The cost would come out of fire funds. It's budgeted for an estimated \$400,000. Prices are going up another 5% at the end of the year. The new tanker would replace the 1999 tanker.

The council gave consensus to approve the formation of the truck committee. Discussion and questions followed.

Pappenfus added that the Fire Relief Association had paid for the smaller vehicles. The last truck purchased is starting to show its age. The department would like to replace it. If one comes available, they'd like permission to put a bid on it and purchase. Fire Relief would pay back \$50,000. The department has a 2010 Tahoe that could be sold and the funds used to put toward a new vehicle.

Discussion and questions followed.

Motion by Gondeck, seconded by Swanson, to authorize replacement of rescue #8 with a cap of \$60,000 for the purchase of the new vehicle. When the Tahoe is sold the proceeds would go back to the Relief Fund. The relief would reimburse the city for the truck costs.

Motion carried, unanimous.

Administration

Sarah Brunn, City Administrator, gave an update to the council. Winterfest is temporarily postponed as

some of the committee members have resigned. Brunn also shared that staff is working with the MRWA with the 3M PFAS Settlement. The settlement could help with treatment of PFAS, a new standard of water quality the MRWA is working on. More information is expected.

Brunn also shared that staff is still learning about the native grasses and landscapes bill that the legislature passed. There was a lot of new legislation that passed that needs to be sorted through to see how it will affect the city. She encouraged the council to stay up to date with bulletins.

Other items of note – Brunn said staff is working on next year’s budget. Inflation is high. There’s a lot of uncertainty with the insurance numbers. She asked the council to reach out to her with any questions or concerns.

Voit thanked Brunn for putting on the employee appreciation picnic.

Old Business

Welcome Signs

Voit shared that four artists had submitted proposals for the new welcome signs. The city would utilize Public Works and the City Engineer to help with placement. He asked the council to approve funds to assist with structural engineering costs. Discussion and questions followed. The council asked for the artists to include an allowance from the city as they prepare the budget. The council was open to the idea but wanted clarification on the expenditure amount.

Discussion on County Building

Voit updated the council on the tour that he and Gondeck had taken of the county building to see if it would meet the city’s needs. Discussion and questions followed with the council reaching a consensus that the county building might be better suited for the library than moving City Hall offices. Discussions with the county will continue on this topic.

New Business

There was no new business.

Mayor’s Open Forum

Jakob Kounkel from the Benton County News shared with the council that this would most likely be his last time attending a City Council meeting as he and his wife were moving to Florida soon. He expressed his fondness for Foley and how much he would miss working with staff and council.

Debra Olson, 600 Dewey Street, commented on the presentation given by the Coalition of Greater MN Cities regarding lead-lined pipes in older homes and asked how homeowners will be able to access funds for pipe replacement.

Motion by Gondeck, seconded by Voit, to adjourn.

Motion carried, unanimous.

Meeting adjourned at 7:26 p.m.

Sarah A. Brunn

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