

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – April 2, 2024

The Foley City Council held their regular meeting on April 2, 2024, 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 Swanson, seconded by Gondeck, to approve the agenda.

Motion carried, unanimous.

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

- Approve minutes of March 12, 2024.
- Appoint David Campbell to Foley Library Board.
- Approve payment of bills.

Motion carried, unanimous.

Mayor's Open Forum

Cindy Claude, 9th Avenue Mobile Home Park, would like to know how much the mobile home park is charged for water. She also mentioned that stray cats are a problem and would soon start trapping them. She asked what she should do with them.

Shelby Wurtz, 913 9th Avenue Mobile Home Park, also expressed concern over the water/sewer bill stating she didn't understand why it was so high.

Sarah Brunn, City Administrator, explained that the city doesn't bill the individual residents at the mobile home parks. The bill is sent to the park's owner and it is passed through to the residents based on the mobile home park policies.

Wurtz asked if the park is considered one unit or multiple units.

Brunn explained that the council had discussed and approved a change that went into effect last year (2023) that the mobile home parks would no longer be treated as a single household. The bills would be calculated based on the individual units (mobile homes) with a minimum water usage of 2,000 gallons (based on 2024 rates) for each unit. The property owner made the decision to install separate meters on all the mobile homes to track the individual usage and bill accordingly. The council encouraged Wurtz and Claude to reach out to City Hall during business hours to obtain more information about their water/sewer usage.

Presentation of 2025 Street Improvements Feasibility Study

Jarod Griffith, City Engineer, gave an overview of the feasibility study in the council packet. The study was authorized by the council in November 2023. The purpose of the project would be to replace deteriorating street and utility infrastructure; improve drainage, and address ADA standards for sidewalks and curb ramp deficiencies. The report looked at existing conditions and proposed improvements for Broadway Avenue, 4th Avenue, 3rd Avenue, Parent Street, Murphy Street, and 4th

Avenue alley. Griffith included in his report an outline of preliminary special assessments. The estimated total cost of the project would be \$6,533,987.40. Questions and discussion followed. Gondeck asked if there were any lead pipe in the proposed project area and if there would possibly be federal money to help with the cost of replacement. Griffith confirmed that the city was estimating they would receive some of those grant funds.

Brunn added that staff was looking a 20-year assessment terms along with a 15-year for financing. From a tax based perspective the early number of 20% across the board as a tax levy increase. There might a decrease on the levy side as more of the costs are attributed to the water/sewer funds. Brunn explained the city doesn't issue the bonds until the council moves forward with the project. Questions and discussion continued.

Mark Pappenfus, Director of Public Works, added that he didn't know of any lead main lines in the city, but there are some lead goose necks and galvanized water lines which the Minnesota Department of Health considers to be lead.

Voit asked for more details on the history of the project asking when was the last time there were improvements made. Griffith confirmed the blue section in the proposed project area was partly done in 2018.

Brunn added that whenever the city considers street reconstruction it has to meet a benefits test. The value of the assessment adds to the value of the property. The property owner can appeal the dollar amount – something the council needs to be aware of. The city could go through an appraisal process. There is time and cost associated with that option. Another way to help the property owners is with a longer term for the assessment. Voit asked if the assessment had to be 20%. Brunn explained that state statute requires at least 20% assessment.

Griffith explained the assessment appeals process can start in November. Brunn added that neighborhood meetings can be very helpful in answering questions and getting feedback regarding the project.

Brunn asked the council for a motion to adopt Resolution #2024-09 Receiving Report and Calling for Hearing on 2025 Improvements. Discussion and questions followed.

Motion by Gondeck, seconded by Swanson, to adopt Resolution #2024-09.

Motion carried, unanimous.

Brunn asked the council if they wanted staff to look into an appraisal as part of the assessment process to make sure the project passed the benefits test. The council agreed and asked for information to be brought forward.

Review and Approval of Updated Wastewater Agreement with St. Cloud Regional Cities

Brunn gave an overview to the council of the changes to the agreement. She explained the changes include how costs are allocated. The change will simplify things moving forward as the regionalization group does more projects. All the cities who are part of the regionalization reviewed and provided input. The city became subject to the agreement when Foley joined the regionalization group. The agreement outlines how all the cities can best utilize the huge wastewater system as a whole. The city attorney has reviewed it and has no concerns. Brunn encouraged the council to adopt the agreement.

Motion by Voit, seconded by Swanson to adopt the agreement.

Motion carried, unanimous.

Department Reports

Police Department

Chief Katie McMillin gave an overview to the council on the monthly stat report. Officers responded to 396 calls in March. Traffic stops were down, but people driving with revoked or suspended licenses were up. Gas drive offs are up. Animal complaints are way up which has been time consuming for officers – several dogs running at large. McMillin gave a reminder to dog owners that dogs must be licensed and leashed when not on their property. Officers also completed the sex offender checks. These are done twice a year. Two weeks ago the department participated in the Community Connect Expo. It was a great turn out. McMillin also shared with the council she would be attending the Minnesota Chief’s Association conference April 15 – 18. Email will be the best way to get in touch with her during this time. McMillin also stated she attended a meeting with the Benton County Sheriff’s office on the new records system. The sheriff’s office has also asked for assistance during the Benton County Fair. McMillin said if it was okay with the council, she would bring the contract from the fair board for approval at the June or July meeting. She stated she would make sure there was road coverage first before considering helping the county with the fair. Questions and discussion followed.

McMillin also shared that the city of Waite Park is offering a crime free housing training program on May 6. She strongly encouraged the city’s landlords to attend. She updated the council that the department has books for the course and she can make a review test on Google forms for information in the binder. She suggested that the landlords could check out the book, read it, and then take the test. If they pass the test then it would fulfill the requirement of the ordinance. It wouldn’t be the office course but it would meet Foley’s requirement. Questions and discussion followed.

Brunn stated that if the council was in agreement staff would work on the necessary steps to update the ordinance and policies related to the crime free education.

City Engineer

Griffith briefly addressed the council asking for feedback on the planned water plant tour in Wisconsin on April 11. Gondeck, Voit, and Swanson said yes. Mathiowetz said maybe but was unable to confirm at this time.

Public Works and Fire Department

Pappenfus directed the council to their packets to review the quote for the electric compost gate totaling \$19,457. The quote includes the price from the operator (East Central Electric) and the design to tie it together. It also includes the power pole with the night light. Questions and discussion followed.

Voit asked about cards or pin codes for access. Pappenfus explained that the crew would get automatic openers. The next step would be to set the system up for a card reader.

Motion by Voit, seconded by Swanson, to approve the electric gate quote.

Voit stated he would like to see a quote for utilizing the gate to its fullest potential with a pass code system. Brosh agreed stating the best system would be key cards so people could access the compost site at any time.

Motion carried, unanimous.

Pappenfus said he would open the compost site for the season in another week or so once the ground has a chance to dry out.

Administration

Brunn reminded the council that the audit will be next week. Staff doesn't have to do a federal audit this year because we did not exceed the threshold on the federal specific funds and rather drew reimbursements from state funds. She also gave an update on the Tri-County Humane Society contract. Staff was waiting for more billings to come in. She asked the council if they wanted to keep the contract or continue to monitor.

Mathiowetz expressed support for keeping the contract as there were a lot of feral cats in town that were causing problems.

Brunn explained that the current contract has the city paying the full amount for each animal. Tri-County will no longer accept participation fee from the person who surrenders the animal. Each animal costs the city \$80 - \$100.

Brosh asked if the city could set a limit for \$1,000 for the year. Brunn said it was possible, but the city may have already reached that amount or could very quickly if trends continue. More discussion and questions followed.

Mathiowetz commented that Waconia, MN, had recently passed a cat leash law. Voit expressed support for setting a limit and then reassessing. Brosh said he would like to leave the contract as it is. Brunn said she would keep the council informed and we could re-assess the contract when in the budgeting process.

Brunn also shared with the council that the police union is renegotiating their contract – standard practice. Staff is also working on the south side housing project. Currently, there is a \$2.5 million gap in temporary financing until we sell those lots and she is working on obtaining options.

Old Business

The council discussed the garbage contract. Brunn reviewed the guidelines for the competitive bidding process. Questions and discussion. Brunn shared with the council that Republic Services has stated they no longer wish to extend the existing contract. They would like to renegotiate. The current contract ends June 30. Discussion and questions followed.

Brunn reminded the council that garbage service is often a touchy subject for residents and business owners. If the council chooses to put the contract out to bid and changes providers, we should expect to see numerous calls and inquiries at city hall because every single city account will be required to change over. It will also require some assistance from public works to transition all carts and dumpsters.

Motion by Swanson, seconded by Gondeck, to renegotiate with Republic.

Motion carried with Gondeck, Swanson, and Voit voting yes. Mathiowetz and Brosh voted nay.

New Business

Brunn asked if the council would like to schedule a council workshop before the next meeting. Swanson said it was advantageous to do a workshop but not to schedule one every month. Voit expressed support for the workshops.

Second Open Forum

Shelby Wurtz, 913 9th Avenue, said that there were other animal shelters in the area. Not just Tri-County.

Gondeck thanked the Fire and Police Departments for their help with an incident on Easter. He appreciated their assistance and professionalism.

Motion by Swanson, seconded by Gondeck, to adjourn.

Motion carried, unanimous.

Meeting adjourned at 6:59 p.m.

Council Workshop – Downtown Façade Program Discussion

At 7:03 p.m. the council started their workshop discussion. Amanda Othoudt, Benton County Partnership, gave an overview of the proposed program. Would be up to \$5,000. Council viewed project map. EDA will review and approve program.

Review of program requirements, procedures, and timelines. There may be the possibility to leverage other funds. Focus will be on downtown corridor. Program details will be sent to EDA then council.

Council agrees.

Workshop adjourns at 7:33 p.m.



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