

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – May 7, 2024

The Foley City Council held a workshop to discuss the garbage contract on May 7, 2024, at 4:30 p.m. at Foley City Hall prior to the council's regular meeting.

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

Beverly Mathiasen, Municipal Sales Manager – Republic Services, gave an overview of the proposed contract extension. A lot has changed since the last request for proposal five years ago. She gave an overview of the company, outlining their commitment to the environment and to the community. She also talked about some of the challenges in the industry such as the depressed commodities market; supply chain delays; and recycling contamination (has improved). She also invited the council to look at Republic's sustainability plan and how they support the environment. Mathiasen also gave an overview of the rising cost of business. People have had to pay more for services. The average wages for the refuse and recycling industry have increased. There is also the challenge of finding CDL drivers and how the company can attract new young talent. Other challenges include recruiting diesel technicians and welders and the rising cost of maintenance parts. The current contract's 4% annual increase has not kept up with inflation. She also presented the proposed the 2024 monthly service rates for both commercial and residential customers.

Questions and discussion followed with Voit and Mathiowetz expressing support to open the garbage contract to an RFP. Voit asked if the council could allow commercial properties to find their own haulers.

Sarah Brunn, City Administrator, said that some cities only focus their garbage contract on residential and commercial properties are free to choose their own hauler. Multiple haulers would have an impact on streets and alleys.

Gondeck expressed support for one hauler for residential and commercial. He also expressed support for an RFP based on the proposed numbers for the 2024 rates.

More discussion and questions followed. Brunn stated that the city wide cleanup day would need to be written into the RFP or the city would need to pay for it. Historically, the council has voted to keep the cleanup day in the garbage contract.

The council thanked Mathiasen for her presentation.

Mayor Brosh concluded the workshop at 5:20 p.m.

The regular council meeting opened at 5:30 p.m.

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 Mathiowetz, to approve the consent agenda:

- Approve minutes of April 2, 2024.
- Approve St. Cloud Airport Mutual Aid Agreement.
- Adopt Resolution #2024-10 Limited Use Permit – City Welcome Signs.
- Approve closing of City of Foley on Friday, July 5<sup>th</sup>.
- Approve establishment of Downtown Façade Improvement Program Policy, Agreement Template and Funding Allocation from Expendable Trust Fund of \$20,000.
- Approve Benton County Fair Police Coverage Contract.
- Approve hire of part-time police officer Kourtney Lind – contingent on background.
- Accept and approve retirement of Josh Beutz, firefighter.
- Approve payment of bills.

Mathiowetz asked about the approval of the other officer.

Chief Katie McMillin explained that the other candidate was not moved forward in the process.

Motion carried, unanimous.

### **Mayor's Open Forum**

No one spoke.

### **Update on Wastewater Regionalization Project**

Jared Voge, Bolton & Menk, gave an overview of the project and recommended Payment Estimate #17 for \$264,644.55 for approval. The project is now 88% complete. The contractor as been testing pumps and generators. The Broadway lift station is planned to start up on Thursday. He expects panels to arrive in May or early June to finalize some connections. He tentatively estimates that some time in August they would be ready to start moving flow toward St. Cloud.

Questions and discussion followed. Voge said that a couple ideas came up during discussion of decommission of the pond. Those items are being investigated. Ultimately, the council will need to determine the use of the property.

Voit said he would like to look into a wetland bank for wetland credits. Voge said he is working with their wetland staff. It may not be the ideal location for wetlands. He expects to have that information soon.

Motion by Mathiowetz, seconded by Gondeck to approve Payment Estimate #17.

Motion carried, unanimous.

### **Consider/approve Benton County SLFRF (ARPA) Funds Agreement**

Brunn directed the council to the template agreement in their packet. She explained this is the agreement the county wishes to transfer \$500,000 of ARPA funding for housing costs to the city. She looked at the concepts for the proposed south side development and this would finalize it. The county's primary focus for the funds is for water/sewer infrastructure. The city must follow federal guidelines. There is also information requested from the county attached to the agreement. Staff is looking at using the funds for the south side project along with other possibilities. The money must move quickly and must be spent by 2026.

Questions and discussion followed. Brunn explained the money would need to be allocated in 2024 and spent and done in 2026. The south side project is being considered because of the timeline but it could be opened up to other locations. Council could decide to allocate on a first come first serve basis. Staff has told developers that the city will spend the funds quickly.

Mathiowetz expressed concern that not enough discussion has focused on senior housing. Townhomes are general multi-level and are not senior housing.

Voit commented that the city can't tell developers what kind of housing to build. We can suggest transition housing, but it's ultimately up to the developer. Anything would be better than what we've had in the last 10 years. The housing study lists the need for homes, including homes for seniors, and developers see the demand.

Discussion and questions followed. Brunn commented that while staff has had developers express interest in building homes they are not interested in building infrastructure. The hope is that if the city puts in the infrastructure and sell the lots they will build. It is not a typical practice of the city to act as a developer, but given the high cost of infrastructure and with the county's support the city can help move things forward. The city also owns the land.

More discussion and questions followed.

### **Jim Moshier – Multiple Topics**

Jim Moshier, 320 Birch Drive, stated that Foley is designed for 2,500 people. Nobody looks at what a city can afford. We needed a watertower before I retired. Now I'm retired and will subsidize every house that is built. Houses don't pay enough in taxes. If you look at Lange Estates, the rest of the city subsidized that. When we built the pond in 1990, we had to buy the house out there and then we rented it back to the guy. Now you want to put nice homes by the wastewater ponds. They will ask every year for access to town. Are people living in town now willing to pay more taxes? People have been complaining about senior housing for 20 years. I know we need people. Just look at the big picture. I'm not against growth. There's no place for people my age to retire. You can't build affordable housing.

Discussion followed. Swanson commented that any developer looking at building commercial properties are going to ask if we have housing here. Moshier said he didn't think the city should be in the real estate business.

Motion by Voit, seconded by Gondeck, to approve the Benton County SLFRF (ARPA) Funds Agreement.

Motion carried with Gondeck, Brosh, Swanson, and Voit voicing yes. Mathiowetz voted no.

### **Debra Olson – Interpretation of the Ordinances – Definition of Snow Fence**

Debra Olson, 600 Dewey Street, addressed the council regarding the definition of 'snow fence.' She explained she received a letter from the police department saying she was in violation of the ordinance and said the snow fence needed to be taken down. The ordinance only allows for snowing fencing between Nov. 1 till April 1. Olson asked for clarification on the definition of 'snow fence.' She stated she uses a 'snow prohibitor.' She also stated that snow accumulation on average begins in late October. If she waited till Nov. 1 to install her 'snow prohibitor,' the ground would be too frozen to get the stakes in. She also said according to state climatologist at the DNR the latest snow on average is April

23. She also told the council it is a waste of the police department's time. She she said she would like more specific wording on 'snow fencing' so there's no confusion when and where you can put up a temporary 'snow prohibitor.'

Discussion and questions followed. Swanson suggested residents could put in the stakes early and then put up the rest of the fence after Nov. 1. Voit and Brosh were open to adjusting the date on the ordinance.

Gondeck asked the issue be referred back to the Planning Commission. Gondeck suggested Olson join the Planning Commission. Olson refused his invitation.

## **Department Reports**

### **Police Department**

Chief Katie McMillin gave an overview of the stat report for April. Officers reponded to 382 calls. Speed enforcement is up. Child complaints are up at the school. The SRO has been very busy at the school. The high school prom is this Saturday. Suspicious activity is up. There have been 18 animal complaints – most of these have come from one address in town. Child custody disputes and civil matters are also up. Currently, we are seven days into the month of May and the department has already taken 90 calls for service. The Bike Rodeo is scheduled for June 15 for kids 10 and under. The council is invited to come help with the drawing. It is a free event for kids. Fairview Hospital can't come out, but Centracare will come out to do the bike helmet fittings so parents know what size helmet to buy.

### **City Engineer**

Jarod Griffith, City Engineer, updated the council on the south side project. The wetland delineation is scheduled for this month weather permitting. May 3 staff submitted the water treatment facility and other projects to the state for review. The neighborhood public meeting for the 2025 road project is scheduled for May 29 from 5:00 p.m. to 7:00 p.m. Questions and discussion followed.

Brunn said she wanted the council to know staff submitted the proposed water treatment project to multiple federal legislators hoping the city would qualify for federal funds - \$6 million was requested which is 50% of the project.

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

Mark Pappenfus, Director of Public Works, gave an overview to the council regarding the electrical upgrades to the compost site. He directed them to the quote in the council packet from Security Locksmith. The quote is for \$2,406.00 and does not include the card reader. The addition of the card reader would push the quote up to \$3,000.00. The budget for the compost site is gone for the year. This would be the last of the expenses for the year.

Brosh stated he'd like to wait until next year and then move forward with the upgrade. Discussion and questions followed. Council agreed to table the upgrade until next year.

Pappenfus also stated that the county road maintenance agreement prices are out with no negotiations. Other cities are disputing prices in their counties. If other cities are getting an increase, then Foley should get an increase too. He asked if the council would like to table discussion until the next meeting. Questions and discussion followed.

Motion by Gondeck, seconded by Mathiowetz, to table the discussion of the county road maintenance agreement.

Motion carried unanimous.

### **Administration**

Brunn gave an overview to the council. Staff just finished the audit and expect the presentation to be done in June. Last year staff met with Midco to discuss internet options at the pool. Midco is willing to offer free wi-fi at the pool if the city includes a sign at the pool to advertise their sponsorship. If the council is okay with the arrangement, staff will move ahead with it.

Voit asked if this would allow processing of debit/credit cards at the pool house. Brunn explained that is what staff is hoping for. The council agreed for staff to move forward.

Brunn also gave an overview of the updates needed to the sewer code as required by St. Cloud. Staff is working through it including an action plan. She said she would bring it to the council next month. St. Cloud is also looking to replace the metro force main. As a regionalization partner, we are involved. The project is looking at using alternative pipe solution. Staff will share with council once they have final numbers. The city's share of the expense would be 2.8%.

Brunn also shared that staff is working on Election Judge Training and could use a few more judges if there is interest.

Brunn stated that online swimming lesson registrations will begin tomorrow. Staff has received lots of applications for life guards this year. We might need to do some WSI training. Our pool manager is coming back from last year and lots of other familiar faces. Wages are increasing another .50 per hour same as with season Public Works employees.

### **Old Business**

Update on garbage contract. Brosh stated that the council had a workshop regarding the regular meeting on the garbage contract. He stated he felt the council should ask for an RFP and open the bidding up for the new contract given that the proposed rates for residential were up 33% and commercial side was even more. Discussion and questions followed.

Motion by Gondeck, seconded by Swanson, to open the garbage contract up for RFP with both residential and commercial together as well as residential only and including the clean up in the fall with existing terms for Fun Day dumpsters.

Motion carried, unanimous.

### **New Business**

Brunn asked if the council wanted to schedule another workshop. She also asked to set the date for approval of the request for proposal terms at the May 14 meeting at 5:00 p.m. Council approved.

Gondeck stated that in the budget this year they included funds to update the Lion's Park bathroom. He was able to get materials from work for new countertops. He said he was donating his labor and materials to install the new countertops on May 17. Pappafus added that the new drinking fountain was installed yesterday and the concrete for the bench was poured.

**Mayor's Open Forum**

No one spoke.

Motion by Swanson, seconded by Gondeck to adjourn.

Motion carried, unanimous.

Meeting adjourned 6:45 p.m.



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