

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – June 21, 2024

The Foley City Council held a special meeting on June 21, 2024, at 12:00 p.m. at Foley City Hall.

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

Members Absent: Council Member Brandon Voit

Mayor Jack Brosh presided and called the meeting to order at 12:00 p.m.

The pledge of allegiance was recited.

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

Motion carried, unanimous.

**Discuss/Approve Garbage Hauling Contract with Jim's Mille Lacs Disposal**

Sarah Brunn, City Administrator, outlined some of the issues. She explained that if the council is good with the RFP then they can move forward.

Ashley Bukowski, City Attorney, added that the rates in the RFP submitted by Jim's Mille Lacs Disposal were different than what citizens will pay. Questions and discussion followed.

Brunn stated that the city wants to make sure everyone has a recycle bin. It's important for the city to make it available to residents and recycling is easy for them to do if they want to.

Bukowski added that the city doesn't have an ordinance that requires that residents recycle, but it is in the garbage contract. The city doesn't punish residents for not recycling. Any discussion regarding a change in ordinance should be a separate discussion.

Brunn explained that Republic has agreed to a few extra weeks for can swaps until July 15. More questions and discussion followed.

Brunn stated that a resident who is a Waste Management employee asked for permission to use Waste Management instead of Jim's Mille Lacs. Bukowski explained that based on the ordinance the city doesn't require that residents use the licensed/approved garbage hauler, but they would not be permitted to allow a different hauler. They will have to be responsible for their own garbage disposal and take it to the transfer station themselves. Brunn recommended not allowing any exceptions. The pricing in the contract is set based on the exclusivity of one hauler. The council agreed – no exceptions.

Motion by Mathiowetz, seconded by Swanson, to approve the garbage contract with Jim's Mille Lacs Disposal.

Motion carried, unanimous.

**Discuss/Approve Site Plan for Blow Molded Expansion**

Brunn gave an overview of the Planning Commission's recommendation. There were no concerns during their discussion regarding the proposed addition for Blow Molded.

Motion by Swanson, seconded by Gondeck, to approve the site plan for the Blow Molded expansion.

Motion carried, unanimous.

**Discuss/Approve Special Event at Foley Pool by Swim Booster Club**

Brunn presented a request by the Swim Booster Club to use the pool for a fundraiser. She stated she thought it was something staff could work with and needed formal action to approve. Discussion and questions followed. Bukowski added that staff could talk more about how to handle liability concerns if the council was willing to approve to move the issue forward. Brunn asked if the council would be comfortable with lifeguards donating their time to the event. Bukowski explained that the city can't make a direct contribution, but can do exchange for the work completed.

Motion by Gondeck, seconded by Swanson, to approve the Swim Booster Club event at the city pool.

Motion carried, unanimous.

**Discussion on Winter Sewer Rate Lock**

Brunn gave an overview of the error with the June bills that used the wrong month to lock in the winter sewer rate. Staff is currently transitioning to a new software and is in training. The July bill will be the first billing on the new software. Staff is confident an adjustment can be made to fix the June billing as well as move forward with the correct July billing. She asked the council for approval to waive the late fees for the June billing.

She also explained that the problem with the lock in rate is that for some residents their actual monthly usage in May was lower than the winter lock in rate. The wet weather meant that residents were not watering outside. Staff recommended to the council a change in the Winter Sewer ordinance that would allow the bills to be calculated using the lower number (actual usage vs. winter lock in). Brunn added the new software system will allow staff to do an average usage of a few months rather than choosing a single month for the winter lock in rate. She recommended the council consider it for next year since some people already prepared for a January usage lock rate. Discussion and questions followed. Brunn added that the June billing with the winter lock in showed a loss of \$12,000 from the previous year.

Stacy Graham, Administrative and Utility Billing Clerk, gave an overview to the council on the phone calls from residents that staff had been getting since the June billing. Residents questioned why they had to pay for higher sewer usage than the water that was actually used. She stated that with talking with the software people they recommended using an average over several months

rather than a single month since that would take into consideration water leaks, people moving in and out, or people on vacation. Discussion and questions followed. Brunn stated that staff needed clear direction on how to move forward with the July billing.

The council expressed support to wave the June late fees.

Graham explained an adjustment could be made in the July billing by pulling the correct January usage (correcting the June billing and using the January usage moving forward). She also recommended calculating the winter sewer months by using the actual monthly usage if it was lower than the January usage lock in. More discussion and questions. Brunn stated that staff was still working through how the change would affect revenue. The city can't control the weather.

Motion by Gondeck, seconded by Swanson, to wave the late fees for June.

Motion carried, unanimous.

Brunn asked if the council would like to motion to change the ordinance to allow the calculation to use the actual usage if lower than the winter lock. The council declined to make the change, leaving the ordinance as written.

### **Other Business**

Gondeck addressed the council expressing his concern that he'd heard that residents were hollering and screaming at staff. He expressed his support for staff. They're hired to do a job and they don't need to be yelled at or called names. They are doing the job the council has directed them to do. People think they need to yell at staff and that has to stop. If you need to yell, yell at me. Our people are doing a great job and they don't need to be disrespected. We need to be more civil. Everyone is wound too tight. Don't take it out on the people behind the counter.

Motion by Gondeck, seconded by Swanson, to adjourn.

Motion carried, unanimous.

Meeting adjourned 12:43 p.m.



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