

CITY OF FOLEY, MINNESOTA  
CITY COUNCIL MEETING – September 3, 2024

The Foley City Council held their regular meeting on Sept. 3, 2024, at 5:30 p.m. at Foley City Hall.

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

Members Absent: None.

Mayor Jack Brosh presided and called the meeting to order at 5:30 p.m.

The pledge of allegiance was recited.

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

Motion carried, unanimous.

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

- Approve minutes of Aug. 20, 2024.
- Approve minutes of Aug. 27, 2024.
- Approve payment of bills.

Motion carried, unanimous.

**Wastewater Regionalization Project Update**

Jared Voge from Bolton & Menk gave an overview to the council and recommended Payment Estimate #21 of \$173,948.91 for approval. The estimate includes work completed through Aug. 23. The project is 95% completed. The contractor is currently making sure all the system components are talking to each other. Punch list items are also being addressed.

Motion by Gondeck, seconded by Swanson, to approve Payment Estimate #21.

Motion carried, unanimous.

Voge also presented Change Order #3 from Geislinger and Sons for discussion and approval. This change order is related to contract completion time, extending it to Oct. 25. Final payment would be due Dec. 20, 2024. Questions and discussion followed. Voge explained that equipment deliveries have caused delays. Anticipated schedules from contractors indicate further extensions should not be needed. The system should be operational by Oct. 25.

Motion by Swanson, seconded by Mathiowetz, to approve Change Order #3.

Motion carried, unanimous.

### **St. John's Area School Fence Request**

Chris Smith, Principal of St. John's Area School addressed the council requesting permission to construct a fence on the property line shared with the city's alleyway to enclose the school playground in order to meet state regulations. Discussion and questions followed.

Mark Pappenfus, Director of Public Works, stated the proposed fence would not interfere with plowing or snow removal in the alley.

Brosh requested that a letter should be signed to cover any liability for the city if the fence was damaged during snow removal. Smith agreed.

Motion by Mathiowetz, seconded by Gondeck, to approve the fence for St. John's Area School.

Motion carried, unanimous.

### **Mayor's Comments and Open Forum**

Debra Olson, 600 Dewey Street, asked how the RFP for the new housing development was communicated to the public. She stated she wanted to make sure all the developers in the area were well informed.

### **Discussion/Comments on the 2025 Preliminary Budget**

Brunn presented the preliminary budget as discussed during the last meeting and asked the council if there were any additional changes. Discussion and questions followed.

Discussion pivoted to the proposed 2025 street project for the north side. Jared Griffith, City Engineer, gave an overview of the drainage issues on 13<sup>th</sup> Avenue N and Mariah Drive. Existing roadways are in need of improvement. More research and discussion is needed for more exact estimates.

Brunn stated that the city did have some available revenue in the storm water fund. More funds would be available for a smaller project next year. Discussion followed on the possibility of incorporating the two smaller projects into the proposed 2025 street project on the north side. Brunn stated it would be best to fold the smaller projects into the larger project.

Motion by Voit, seconded by Mathiowetz, to request mill, overlay, and drain tile on 13<sup>th</sup> Avenue be added to the project.

Motion carried, unanimous.

Discussion pivoted to the proposed council tablets. Brunn asked the council if they would like to include this item in the 2025 budget. The tablets would offer a cost savings instead of printing council meeting packets. Discussion and questions followed. The council agreed to leave the item in the proposed budget.

Brunn clarified that the proposed tennis/pickle ball court improvements that will be presented in the department reports would be covered under 2024 funds.

Motion by Voit, seconded by Gondeck, to approve the Resolution #2024-20 Adopting the Preliminary Levy at 4.7%.

Motion carried, unanimous.

## **Department Reports**

### **Police Department**

Chief Katie McMillin gave an overview to the council of the August stat report. The department responded to 390 calls in August. Accidents and harassment calls are up. Disturbing the peace was down. McMillin also explained that many of the calls, especially calls involving mental health, are requiring more time from officers to resolve. On average, each mental health call requires 2.5 hours. She also added that officers are getting more types of calls they're not used to seeing. Investigations are time consuming. McMillin also reminded the council that today was the first day of school for Foley students.

Swanson expressed concerns about speeding on Hwy 23 and 25. McMillin agreed and stated a lot of citations were written during TZD on Hwy 23. She said she'd be talking with Benton County soon to ask to use their speed wagon near the school and on Broadway Avenue N.

Mathiowetz asked McMillin how the officers handle mental health calls. McMillin explained that officers receive a lot of training from the state. Our officers are very good at helping people who are having mental health issues.

Discussion and questions followed on people failing to yield as they enter the roundabout. McMillin said she would post a patrol to monitor. If the motorist is in the roundabout they have the right-of-way. Cars entering the roundabout must yield.

Gondeck stated he liked the TZD hours for the officers and asked if more were planned. McMillin agreed and stated she would like to get more of the part-time officers trained to do TZD hours next year.

McMillin gave an overview of her recommendation for the new 2025 Dodge Durango patrol car. The basic cost of the vehicle is \$40,356 plus additional equipment costs – final quote pending. Estimated final cost would be \$61,000 or possibly less. The new squad will replace the 2019 squad. She also stated that new squad and body cameras are due to be replaced. Currently, the department is using 2016 laptops.

Motion by Voit, seconded by Mathiowetz, to approve purchase of 2025 Dodge Durango.

Motion carried, unanimous.

McMillin will confirm delivery date on new squad.

### **City Engineer**

Griffith gave a brief update on PFA funding from the end of May. The city should see a first round rating and scoring in September.

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

Pappenfus directed the council to the second quote in their packet for the resurfacing of the tennis court. Uncertain if work would begin this year or wait till spring. Work would also need to be done to fix the fence and make the courts ADA compliant. The quote for the resurfacing is \$53,900 and could be restriped to include tennis and pickle ball courts. The quote does not include portable nets.

Discussion and questions followed regarding the layout of the tennis and pickle ball courts. Voit shared that the Lions Club had expressed interest in donating funds for the tennis court renovation. The council requested pictures of what the finished courts would look like before making a final decision on the layout of the courts.

Motion by Voit, seconded by Swanson, to approve the Pro Track and Tennis proposal with the option to see pictures of the final layout.

Voit stated he would bring to the next council meeting an answer from the Lions Club on a possible donation.

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

Pappenfus added that the pool is closed for the season and the temporary Public Works hires are done for the year.

### **Administration**

Brunn asked the council who would be available to attend a special council meeting on Sept. 13 at noon to approve a temporary liquor license for Pantown Brewing. The council confirmed a quorum would be present. She also provided feedback on the tier conservation water/sewer rates that were discussed during the last council meeting. She expressed concern that a tiered rate structure is very complex and it takes a lot of time to analyze the data in order to build one. She recommended the city do a full utility rate study first. She directed the council to their packets with the sample rate study from the City of Sartell. The report includes rates, debt, and long-term planning. The cost of the study was around \$17,000. She asked the council for their thoughts and if they wanted to move forward with a similar study. Discussion and questions followed.

Swanson stated he would be in favor of the report as it would be helpful for future councils. Goneck, Mathiowetz, and Voit all expressed support. Brunn said she would solicit some proposals to bring back to the council for their approval.

Brunn shared that staff received a request to begin negotiations with the police department union. She said she would get something on the calendar with the Personnel Committee.

Brunn reminded the council that during the Sept. 13 meeting for the liquor license request the council could decide to charge the applicant for the special meeting. Because of publication requirements, the request could not be added to the regular Sept. 3 council meeting agenda. Discussion and questions followed.

Brosh asked if the Benton Economic Partnership (BEP) was also sending out the RFP for the proposed housing development. Brunn confirmed they were. She also confirmed that the RFP was emailed to 22 developers, posted to building associations and housing partnerships, the League of MN Cities...etc..., as well as communicated through city channels (e.g. website and social media). Staff has met all publication requirements for the RFP.

**Old Business**

None.

**New Business**

None.

**Mayor's Comments and Open Forum**

No one spoke.

Motion by Gondeck, seconded by Swanson, to adjourn.

Motion carried, unanimous.

Meeting adjourned 6:36 p.m.



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