

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – October 1, 2024

The Foley City Council held their regular meeting on Oct. 1, 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.

Members Absent: None

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

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 September 3, 2024.
- Approve minutes of September 13, 2024.
- Approve update to Police Pursuit Policy.
- Approve Amendment No. 1 to ARPA Agreement with Benton County.
- Approve payment of bills.

Motion carried, unanimous

Wastewater Regionalization Project Update

Jared Voge, Bolton & Menk, gave an overview to the council and recommended Pay Estimate #22 of \$6,032.50 for approval. The estimate includes work completed through Sept. 20. The project is now at 95% completion. The pumps will be turned on to test the system Oct. 21 – 22. Discussion and questions followed. Voge anticipated project completion shortly after testing. Contractors are waiting on a few additional parts from the City of St. Cloud.

Motion by Mathiowetz, seconded by Gondeck, to approve Pay Estimate #22 for approval.

Motion carried, unanimous.

Foley Fire Relief Annual Report – Brian Moshier

Brian Moshier, Treasurer of the Fire Relief Fund, gave an overview to the council. Fund currently has a large surplus. He shared with the council that the membership hasn't taken any raises for the last few years. A Relief meeting is scheduled for tomorrow night to discuss possible increases. This would not affect the city's budget – only retirement payments from the fund. Moshier said he would be back in a month or two with more information.

Motion by Gondeck, seconded by Mathiowetz, to accept the Fire Relief's Annual Report.

Motion carried, unanimous.

Consider Ordinance #487 – Sewer Charges (from July council action)

Sarah Brunn, City Administrator, gave an overview of the amendment to the council. The language amends the ordinance based on the council's action in July to formalize the change. The ordinance will now read that the monthly sewer charge during the summer months of May, June, July, and August, would be calculated using the lower amount used (the winter lock or the actual monthly usage). The amendment will help offset unexpected overages.

Motion by Voit, seconded by Gondeck, to approve Ordinance #487, amending section 610 regulating sewer rates and charges.

Motion carried, unanimous.

Mayor's Open Forum

No one spoke.

Department Reports

Police Department

Chief McMillin gave an overview to the council. Officers responded to 364 calls in September. This is down slightly from September 2023 of 379 calls. With school in session, there has been an increase in child calls. Medical and domestic calls (the most dangerous types of calls for officers) are also up. There were 14 animal calls in September. The department is currently investigating two dangerous dog bite cases. These dogs have bit in the past. Pet owners are reminded to keep their dogs on a leash or confined to their own property. Dog owners are also reminded to register their dogs with the city. There are still a lot of dogs that are not registered with the city.

McMillin also shared that Halloween safety presentations for kindergarteners is scheduled for the end of the month. Walk to School Day is Oct. 9. Questions and discussion followed.

Brunn added that staff and the Personnel Committee met to discuss the potential union contract.

City Attorney

Ashley Bukowski gave an overview to the council on two agreements she wanted to discuss with the council. She also presented the findings on the study staff completed on the cannabis zoning and licensing. Staff has been in discussion with Benton County regarding the possibility of the county completing the registration process for cannabis businesses. The registration process is required by state law, but the city can delegate the authority to the county to handle it. The county would also take care of compliance checks. Staff is in discussion with the county on a potential joint power's agreement. The county has asked as part of that agreement that the city adopt the county's ordinance on cannabis zoning. A draft of the county's ordinance has not yet been given to staff for review. The county is asking the city if we would like to see a cap on the

number of registrations issued within the city. State statute would allow Foley to cap registrations at (1) based on the city's current population. Discussion followed.

The council was split on whether or not to cap registrations and asked Bukowski to bring more information once a draft of the county's ordinance is available. Bukowski recommended the council adopt some kind of ordinance around cannabis registration before the end of the year. Discussion and questions followed.

Bukowski gave an overview of the County Road 43 joint agreement with Benton County. She confirmed that the city would not be responsible for the maintenance of the road. Staff is working on a final version of that agreement. She hopes to present the agreement to the council next month. Questions and discussion followed.

City Engineer

Jared Griffith presented an overview to the council on two agreements for consideration and approval: Additional Design Work for the 2025 Improvements (13th Avenue) and 2025 Lead Water Services – Design and Bidding.

Staff will be meeting next week for plan review for the 2025 project. Additional Design Services for 13th Avenue were discussed at the last council meeting, including overlay of the street, curb replacement, and drain tile. The agreement is for \$14,000.

Motion by Voit, seconded by Gondeck, to approve the additional design improvements for 13th Avenue.

Motion carried, unanimous.

The agreement for the 2025 Lead Water Services replacement. There are up to 79 lead services in the 2025 construction area. The agreement covers the design of replacing these services from the curb to the meter in the home. Letters will need to be sent to residents who have these services and then coordinate individual meetings, so staff has all the information for a competitive bidding process. The intent is to have this ready to bid at the same time staff asks for bids for the 2025 street project. Design services are reimbursable through grant dollars.

Motion by Voit, seconded by Gondeck, to approve 2025 Lead Water Services Design and Bidding.

Discussion and questions followed.

Motion carried, unanimous.

Public Works and Fire Department

Mark Pappenfus, Director of Public Works, presented two quotes for the purchase of a new 2025 Chevrolet ¾ ton 4x4 pickup truck for Public Works that is included in the 2024 CIP for replacement. He recommended to the council to purchase the vehicle from Murphy Chevrolet for \$45,900. The vehicle will replace the 2006 Chevy ½ ton which will be auctioned off through MN

Bid along with the snowplow that came with the truck when purchased. Discussion and questions followed.

Motion by Swanson, seconded by Voit, to approve purchase of the Chevrolet ¾ ton pickup for Public Works.

Motion carried, unanimous.

Pappenfus gave an update on the pedestrian crossing. The ship date for the new signal is mid-October. Brunn confirmed that the city will need to pay the 20% deductible for the repair and the insurance companies will sort out the rest. Questions and discussion for Public Works followed.

Pappenfus also asked to push back the township fire contract meeting originally scheduled for Oct. 15 to Oct. 29 at 7 p.m. at the Firehall. Rate would stay the same for the next three years. A quorum is needed for the meeting. Council agreed to Oct. 29 meeting. Discussion and questions followed. The Fire Department's Open House is scheduled for Oct. 5 and invited the council to stop by.

Administration

Sarah Brunn gave an overview to the council. Water shutoffs for delinquency is scheduled for Oct. 23. Staff is also working on getting quotes for a rate study. Walk to School Day is Oct. 9. Brunn mentioned she could use another council volunteers at the Fire Hall and the church. Touching Tables with CARE is Oct. 10. Curbside Cleanup is Oct. 19. She also reminded council that City Hall will close for a few hours tomorrow to attend services in support of a colleague.

Brunn also gave an update on the additional work for the welcome signs. The footings for the sign on the east side need to be moved back as requested by MNDot. Discussion and questions followed.

Motion by Voit, seconded by Swanson, to approve the additional work needed for the east side welcome sign.

Motion carried, unanimous.

Old Business

None.

New Business

Swanson expressed concerns regarding comments made in an article in the Benton County News from a few weeks ago regarding purchase of the squad car. He asked that an apology be made. Discussion and questions followed. Council disagreed on action. Bukowski recommended referring the matter back to staff.

Gondeck shared he received an email from Representative Isaac Shultz that grant applications for open for wastewater.

Swanson shared he thought the improvements made to downtown buildings are looking very good. Brunn added that the business owners who've taken advantage of the Façade Improvement grant are very appreciative. Discussion and questions followed regarding additional grant opportunities.

Mayor's Open Forum – 2nd

Brosh shared that he would be attending event to support families of the National Guard on Saturday.

Motion by Gondeck, seconded by Mathiowetz, to adjourn.

Motion carried, unanimous.

Meeting adjourned 6:30 p.m.



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