

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – February 4, 2025

The Foley City Council held its regular meeting at 5:30 p.m. on Feb. 4, 2025, at Foley City.

Members Present: Mayor Brandon Voit and Councilmembers Jeff Gondeck, Deb Mathiowetz, Gary Swanson, and Stephanie Lloyd.

Members Absent: None

Brandon Voit convened the meeting at 5:30 p.m.

The pledge of allegiance was recited.

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

Motion carried, unanimous.

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

Mathiowetz had a question regarding the list of Planning Commission members in the minutes.

- Approve minutes of January 7, 2025.
- Approve minutes of January 21, 2025.
- Adopt Resolution #2025-01 Approve Transfers Between Funds.
- Approve payment of bills.

Motion carried, unanimous.

Public Hearing – Consider Administrative Site Plan Approval Process

Voit recessed the regular meeting at 5:31 p.m. for the public hearing on Ordinance #492 Amending Zoning to Allow for Administrative Site Plan Approval.

No one spoke.

Voit reconvened the regular meeting at 5:32 p.m. The ordinance has been reviewed by the Planning Commission who is recommending approval.

Motion by Gondeck, seconded by Mathiowetz, to approve Ordinance #492 Amending Zoning to Allow for Administrative Site Plan Review.

Motion carried, unanimous.

Discussion/Action on Tri-County Humane Society Contract

Sarah Brunn, City Administrator, confirmed that Tri-County is unwilling to add a participation fee for residents dropping off animals. Brunn stated that the only choice for the city is to take the

contract or reject it. Staff has looked for other options for stray animals and was unable to find any.

Swanson asked for staff to talk to Purple Cat who works with the Milaca Veterinarian Clinic who might be a possible option to help with the stray cat problem.

Discussion and questions followed. Brunn stated that Tri-County wants a contract as soon as possible and won't negotiate on the participation fee. Ashley Bukowski, City Attorney, stated her only concern would be any dangerous dog situations that would might come up if the city chose not to sign the contract with Tri-County. A dangerous dog bite situation might require the dog be quarantined for a period of time. Brunn added that Benton County was able to negotiate with Tri-County on some contract items but they only have their staff take in animals. Discussion and questions continued. Brunn shared that without a contract residents could have to wait to relinquish an animal up to a few weeks according to Tri-County.

Voit suggested working with the county on the potential dangerous dog situations. Burkowski said it would require a joint powers agreement with the county. More discussion followed.

Motion by Gondeck, seconded by Swanson, to reject the Tri-County Humane Society contract.

Further discussion with Mathiowetz expressing concern that no contract would have a negative impact on the community and citizens.

Lloyd expressed support for a maximum dollar amount per year with Tri-County. Gondeck stated he would support a cap. Brunn said she was not certain Tri-County would accept a cap. More discussion followed.

Brunn said that if the council was in agreement on a cap they could approve the contract with that condition, but Tri-County could still reject it.

Gondeck amended his motion, seconded by Mathiowetz, stating the council would accept the Tri-County contract with a cap of \$2,000.

Voit stated the city could continue to explore other options in the meantime.

Motion carried, unanimous.

Discussion on City Housing RFP Process

Brunn stated the council needed to take official action on the current RFP. The council was in agreement to reject the current proposal and return to the RFP process.

Motion by Voit, seconded by Gondeck, to reject the current housing RFP.

Motion carried, unanimous.

Discussion turned to the new solicitation process for a new RFP.

Brunn outlined the changes for the RFP in the council packet. The new criteria would not require the development to be workforce housing. The city would offer developers water/sewer infrastructure pipe. There are some ARPA funds also available. The developer would need to cooperate with the city for compliance reporting. Brunn stated the request was also shortened and rearranged to make it easier to read and submit. Brunn also stated developers would be given 2-3 months to submit a proposal and the goal was to still get the work done this year. Discussion and questions followed. Staff recommended the end of April for a deadline for the proposals. Council agreed.

Motion by Voit, seconded by Gondeck, to solicit for an RFP and update the deadline to end of April along with a developer agreement and platting being required by the end of 2025.

Motion carried, unanimous.

Mayor's Comments and Open Forum

No one spoke.

Department Reports

City Attorney

Burkowski gave an overview on the progress on the franchise agreement with East Central Energy (ECE). The challenge is how the city can rectify the agreements with Xcel Energy and ECE and their very different systems and clients. They have different ways of measuring energy usage as well. ECE gave staff a proposal yesterday so hoping to have something for the council next month. Discussion and questions followed. Burkowski stated the charges for both Xcel and ECE must be similar based on state regulations. Staff is hoping to avoid having to do a new contract with Xcel.

Police Department

Chief Katie McMillin gave an overview of the January stat report. Officers responded to 390 calls. Medical calls were up including for mental health. Civil calls are also higher. In January 2024, the department responded to 364 calls. McMillin also shared the department received calls from metro area officers who were following up on a theft case. Discussion and questions followed with Gondeck asking about TZD hours. McMillin stated there are opportunities for the officers if they are interested in doing more TZD hours.

City Engineer

Jarod Griffith, City Engineer, updated the council on two projects that are in the design phase for 2025. Staff is working with residents on the lead service project. There are only 12 inspections left. The hope is these will be done in February and sent to the state for review. Discussion and questions followed. Staff's goal is to have plans to the Department of Health for review by the end of March so construction can begin this summer in June/July.

Staff is also working on the street project for the north side. Griffith had hoped to have plans for approval tonight, but they aren't ready yet. He asked the council for a special meeting in

February to approve the plans in order to meet process deadlines for bid opening on March 27. The project bids would be then be brought to the council for approval in April and construction to begin in mid to late May. Tree clearing for the project should be done by the end of March and can be handled by Public Works. Discussion and questions followed. Gondeck asked the reason for the delay in presenting the plans. Griffith stated his office had been on schedule, but he'd underestimated the production loss over the holidays. The plans weren't where he wanted them to be in order to be ready to bring to the council. More questions and discussion followed.

Brunn talked through some options on a date for a special meeting. She said that staff's goal is to have it go to bid as early as possible. Griffith stated his office is waiting to hear back from the county early next week with the goal of having it buttoned up by the 13th. Brunn stated the city will need three days for posting for a special meeting. She also shared that it is required to have 4/5 councilmembers to attend a special meeting. The project is also a two-part process because there is a county state aid road included in the project. Griffith added that a state aid review takes 4-6 weeks. The city would be approving the plan contingent on the state aid review. Discussion continued on possible dates for a special meeting.

Public Works and Fire Department

Jarod Voge, Bolton & Menk, gave an overview of the wastewater project and presented Pay Estimate #25 for \$245,542.22 to the council with recommendation for approval. The estimate includes work completed through Jan. 24 and represents 96% of the project completion. The contractor is working on punch list items and collaborating with St. Cloud to make sure the flow meters are working correctly. Questions and discussion followed.

Motion by Gondeck, seconded by Mathiowetz, to approve Pay Estimate #25 for \$245,542.22.

Motion carried, unanimous.

Mark Pappenfus, Director of Public Works, directed the council to their packet and gave an overview of the bid for the chassis for the snow hauler. The bid came in higher than planned for the dump box purchase and he asked the council for a funding amendment to the CIP. He clarified he was not asking the council for additional funds. He asked the council to move \$25,000 from the park play structure to pay for the dump box since the decision was made to hold the playground expense till next year. No additional funds would be needed for the purchase. Discussion and questions followed. Pappenfus added that for the dump box purchase the vender will require \$10,000 this month as a down payment. Discussion continued.

Motion by Voit, seconded by Swanson, to approve the purchase for the dump box and the down payment for this month's bills.

Motion carried, unanimous.

Pappenfus thanked the council for attending the Fire Banquet.

Administration

Sarah Brunn, City Administrator, gave an overview to the council regarding lead services notices. Additional notices will need to be sent for information that was missed in the original communication to residents. The city has approval from the Department of Health to send out the notices so the city will be in compliance. Discussion and questions followed.

Brunn also mentioned her discussion with the Civic Group on Foley's 125th Anniversary celebration this summer during Foley Fun Days. Juanita Beauchamp had a quote for fireworks, but the Civic Group may not have enough funds to cover the entire amount. Brunn asked the council if this is something they would like to move forward with. The quote includes an insurance policy. The council was in agreement that they would like staff to look into it. They also expressed interest in getting feedback from residents on what they would like to see for the celebration. Discussion and questions followed.

Old Business

Gondeck asked Pappenfus what the wastewater flow rate was currently. 193,000 gallons per day.

New Business

Mathiowetz addressed the council regarding her concerns for the nursing home residents and how they can be included more in Foley Fun Days activities. She also asked for the parade route to change so that it would go past the nursing home. Discussion and questions followed.

Brunn stated that the planning and logistics for the parade have always been the authority of the Civic Group. The permits are the same route as last year.

Brunn asked the council if they would like to move the planned workshop originally scheduled for after the meeting to be included with the special meeting later this month. The council agreed.

Motion by Gondeck, seconded by Mathiowetz, to adjourn.

Motion carried, unanimous.

Meeting adjourned 7:09 p.m.



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