



**City Council – Meeting Agenda
April 21, 2026 – 5:30 P.M. – Foley City Hall**

1. Call the meeting to order.
2. Pledge of Allegiance.
3. Approve the agenda.
4. Consent Agenda:
 - Approve minutes of April 7, 2026.
 - Approve the hiring of Brittany Mellgran as Pool Manager.
 - Approve the hiring of an assistant pool manager.
5. Mayor’s Comments & Open Forum
6. Public Hearing – Vacation of Alley on Existing Government Center Property
 - Adopt Resolution #2026-15 Vacating City Right-of-Way
7. South Fairway Estates Rezoning
 - Adopt Resolution #2026-16 Approving Rezoning of South Fairway Estates.
8. City Engineer – Jarod Griffith
 - Consider & Approve 2026 Lead Service Line Bids.
 - Consider & Approve 2026 South Fairway Estates Construction Services.
9. Discussion on potential expansion of Dombrovski Meats.
10. Other Business
 - Request adjustment to City Hall Hours
11. Adjourn

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – April 7, 2026

The Foley City Council held its regular meeting at 5:30 p.m. on April 7, 2026, at Foley City Hall.

Members Present: Mayor Voit, Councilmembers Jeff Gondeck, Debra Mathiowetz, Gary Swanson, and Stephanie Lloyd

Members Absent: None

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.

Consent Agenda:

- Approve minutes of March 10, 2026.
- Approve resignation of Stacy Graham effective April 3, 2026.
- Approve 2026 Benton County Fair Contract.
- Approve SRO Contract effective July 1, 2026.
- Approve disposal/sale of FD Tanker #3.
- Adopt Resolution #2026-14 Accepting Donations.
- Approve payment of bills.

Motion carried, unanimous.

- Approval of Agenda and Consent Agenda
 - The council approved the meeting agenda and the consent agenda with motions, seconds, and unanimous “aye” votes; no opposition was recorded.
 - Procedural items were completed efficiently before moving to the mayor’s comments and open forum.
- South-Side/Fairway Estates Development: Developer Involvement, Process, and Transparency
 - Concern was raised about a social media post by Hageman Homes suggesting they were “working with the city” before formal approvals. The mayor clarified

that Hageman Homes expressed interest in building in Foley but has no exclusive arrangement and cannot purchase lots until the formal process is followed.

- Multiple builders (five or six) have reached out over more than a year, and the city is using a first-come-first-serve approach for lot sales. Builders have been directed to obtain details from Sarah regarding timing, product, and contract obligations.
- The mayor emphasized this project has been discussed publicly for “three years,” with extensive meeting coverage and no concealed decisions.
- Funding Structure, ARPA Use, and Lot Pricing
 - Debra Olson, 600 Dewey Street, raised concerns that lot prices at “forty to fifty thousand dollars” and total proceeds would not cover total development costs cited as “one million ninety six.”
 - The mayor explained the city is using ARPA funds designated for infrastructure: “six hundred seventy five thousand dollars” plus previously purchased pipe also funded by ARPA. He summarized that “about nine hundred thousand dollars” of development is covered by ARPA dollars that must be used or lost.
 - The city plans to sell lots and potentially pursue additional grants and state/county funding for phase two, noting state-level funding awards are currently pending and uncertain.
 - Builder cost context noted a basic split-level home construction cost is typically not less than \$275,000 before additional costs. Lot price targets centered on \$50,000 per lot, with flexibility for less desirable lots (around \$45,000) and a threshold that going below \$40,000 would require returning to the council.
- Rationale for City-Led Development and Affordability Context
 - The mayor stated the city is undertaking development due to high costs and to address long-term stagnation (“twenty years behind”), aiming to increase property tax base and counter rising taxes and declining school enrollment.
 - “Affordable” was described as a loose term; homes under “four hundred thousand dollars” were cited as considered affordable in the current market. Multiple builders are expected to purchase a few lots each, with a goal to build homes “within two years” and then advance to phase two.
- Housing Types Policy: Manufactured, Modular, Mobile, Stick-Built, and Panelized

- Definitions debate included a challenge that city ordinances used “manufactured” and “mobile” synonymously; industry framing suggests manufactured/modular homes are factory-built, set on slab or basement, and become permanent structures. City representatives asserted “Manufactured homes are mobile homes” and can still be moved, even if axles are removed; the exchange remained unresolved.
- A resident questioned why manufactured or modular homes are excluded while mobile homes are clearly not allowed, citing cost advantages (“eighty-seven dollars, a square foot” vs. “two hundred and forty dollars, a square foot”) and compliance with state regulations.
- Council sentiment favored prioritizing stick-built homes; panelized homes received support as a possible compromise, being visually indistinguishable when completed and faster to erect. Modular homes require further research before inclusion due to concerns about neighborhood value impact and compatibility.
- Exclusions were recommended for modular, manufactured, or mobile homes in the South Fairway Estates development, given the city’s effective land discounting and desire to maximize long-term value and tax base. Stick-built and ICF homes are supported; panelized construction is viewed as acceptable and distinct from modular, with precise language to be drafted by the building official.
- Moving in pre-built/used homes is discouraged; homes should be built on site (stick or panelized), although building code allows inspection-based acceptance of used homes.
- Lot Sales Strategy, Buyer Eligibility, and Process
 - Preference was expressed for selling to builders who can close quickly and build promptly; a reverter clause was discussed for buyers who do not build within two years, acknowledging legal processes and fees.
 - Individual buyers may purchase if they already have a builder engaged and are ready to proceed (pre-approval, builder hired), provided lots are available.
 - Initial outreach will prioritize builders who have already expressed interest; if lots remain, outreach will broaden to others.
 - The team aligned on publicly advertising lots at “50,000 dollars” per lot, with flexibility to negotiate for unusual or “odd” lots. This is not an RFP for a single developer; any qualified builders may purchase lots, and multiple builders have asked to be notified when lots are available.

- Resolution and agreements will establish process parameters and authorize execution of documents, with potential amendments for state-imposed conditions to maintain grant eligibility.
- Mayor's Statement on Public Criticism and Governance
 - The mayor addressed concerns about perceived conflicts with familial businesses and character attacks, emphasizing existing systems and processes and rejecting claims that family ties should bar business activity.
 - He clarified his role is volunteer-based with a small stipend and highlighted civic service involvement.
 - The mayor criticized misinformation and personal attacks on social media, urging civil, direct conversations via phone or in person, acknowledging diverse opinions, and emphasizing the need for development to manage water prices and property taxes. He discouraged "empty threats" tied to elections, stressing the limited number of people willing to serve.
- Foley Commercial Rehab Forgivable Loan Program (Legacy CDBG Funds)
 - Purpose and funding: Legacy Small Cities Development Program income from a 1999 initiative totals "eight hundred and fifty-nine thousand seven hundred dollars," with a current fund balance of "eighty-eight thousand, four hundred and eighty dollars." The proposed program offers forgivable, no-interest loans up to "forty thousand dollars" to improve small commercial business spaces in the downtown corridor.
 - Eligibility: For-profit or nonprofit businesses with a physical commercial address in the city; good standing with Minnesota Secretary of State; compliant with city codes; no delinquent city charges; property owners or tenants with owner permission; conforming to zoning and building codes. Ineligible applicants include those without a physical address, passive investment income, primarily gambling-based income, adult-oriented activities, and corporate chains.
 - Eligible uses: Exterior improvements, code/ADA compliance, sprinkler systems, masonry repairs, roofing, and HVAC replacement or upgrades.
 - Loan structure and federal requirements: One-time forgivable loan award not to exceed "forty thousand dollars," funding split "eighty percent" Small Cities funds and "twenty percent" owner contribution (maximum Small Cities allocation "thirty thousand dollars"), interest rate "zero percent," forgiveness upon

satisfactory completion; Davis-Bacon prevailing wage and environmental review apply to projects over “two thousand dollars.”

- Administration and process: The EDA reviewed the policy and recommended approval; the EDA would vet applications and recommend awards to the City Council. Likely first-come, first-served after about “a month” of advertising; once funds are depleted (“eighty-eight thousand”), the program ends.
- Council Q&A noted Davis-Bacon can add “twenty-five to thirty percent” to total project costs; some projects (like HVAC) may still be feasible as contractors already meet wage requirements. Alternatives considered included returning funds to the state, creating a revolving loan fund, or using them as match for a new Small Cities application; staff favored local distribution via forgivable loans.
- Police Department Monthly Update (March)
 - Call volume and trends: 400 calls for service in March (397 in 2025); increases in speed enforcement, thefts (including scam calls), and harassment (often via social media).
 - Operations and enforcement: Transition to a new records system is complete; additional administrative work identified. Nuisance enforcement to ramp up. Gun permits and civil matters (child custody exchanges) are up.
 - Investigations and community updates: Collaboration with Sherburne County led to a significant breakthrough on burglaries and thefts; cases are being worked toward resolution. Winter parking enforcement ended; 30-minute downtown parking enforcement remains. Bike Rodeo planning is underway.
 - Equipment status: Squads are in good shape; a 2025 squad will be sent for basic maintenance, with a spare squad visible during drop-off.
- 2026 Southside Fairway Estates: Construction Bids and Award
 - Ten bids received and opened on March 18, ranging from just under 1.1 million to about 1.8 million against an engineer’s estimate of 1.62 million.
 - Low bid: Northern Lines Contracting (Hanover, MN) at \$1,096,603.07. The engineer’s representative reported no concerns and recommended award. A motion was made, seconded, and approved unanimously.
- Public Works, Engineering, and Project Scheduling

- Street maintenance and summer work: Patching and related maintenance to begin soon; known issues will be addressed.
- Scout House siding project: Building condition is worse than expected; significant under-material replacement needed; about half completed. The building sits too low; bottom foot required removal of plywood and some 2x4s. Measures include flashing, higher siding placement, and landscaping to keep material off the structure (with potential Scout assistance). Materials around \$10,000 were previously purchased; labor will exceed initial expectations; staffing constraints may slow work.
- North Side walkthrough and LSL bids: Bid opening for the 2026 LSL is next Wednesday; a full North Side walkthrough (every street) will follow with staff and possibly county participation to capture concerns and coordinate with the contractor. Kuechle Construction anticipated to mobilize a couple of weeks after the walkthrough, possibly end of April or early May, depending on drying conditions due to snow and wet weather. 2025–2026 LSL is currently out; 2027 efforts focus on funding.
- Compost site operations and access: Open Tuesday, Thursday, Saturday, 9 am to 7 pm. Gate automation is in progress but delayed; considering additional days and swipe card/fob access similar to a nearby city; concern about “dumpers” if open too much. Tree trimmers have had access; site has often been open during wastewater testing.
- Public Works and Administration Updates
 - Old truck valuation: Rough estimate around “forty thousand,” acknowledged as uncertain and subject to market conditions; the truck is mechanically good but experiencing recurring body rust.
 - Training: Basic gun training completed; first responders completed oil awareness training.
 - Audit status and workload: Administration is heavily engaged in the audit, with in-person agenda items scheduled “tomorrow.” Work includes tracking many open capital projects, calculating retainage receivables, and posting entries. No federal single audit this year due to increased threshold; some checks still required. Staff (notably Monica and Sarah) are working extra hours to wrap the majority of audit work in the coming weeks.

- Scheduling, Workshops, and Transparency
 - Scheduling and meeting structure: The regular meeting will proceed as scheduled and not be postponed. A short meeting is planned on the 21st at 5:30pm.
 - Planning & Zoning transparency and participation: Meeting packets are public; the team will look into the status of posting minutes and making packets readily accessible. Decisions typically pass through multiple layers, with Planning & Zoning recommendations preceding council approvals. Multiple open seats are available; community members were encouraged to volunteer and attend. Viewers were directed to the last “36” council meetings on YouTube for detailed discussions on Fairway Estates.

- Response to Resident Email: Procurement, Conflicts, and Project Clarifications
 - “Welcome to Foley” Signs: General contractor Jen Steinkopf was selected after an approximately two-year public process including artist solicitations and public voting across multiple locations.
 - Fairway Estates bidding: No bids were submitted because the city is selling lots, not procuring a single builder via RFP. Lot sale documents were created and reviewed by a lawyer; any builders may purchase lots and build homes.
 - Conflict of interest: Any builder, including those with familial connections to officials, may purchase lots like anyone else. No award or pending acceptance exists for Hageman Homes LLC or anyone with the last name Hageman related to Fairway Estates. If Hageman Homes pays “50,000 dollars” for a lot like any builder, that would be acceptable.
 - City vs. county roles: The city and county are separate entities with distinct decision-making bodies. The county’s government center project is not a city decision; Foley’s role as county seat brings benefits to the community.
 - Government center contracting: Hageman Homes or anyone with the last name Hageman is not involved in subcontracting or building the government center. Many local contractors are participating; this was framed as positive for the local economy.
 - Contractor licensing note: A state law requires a general contractor license for contractors performing two or more projects; Hageman Homes previously operated as a concrete contractor and later obtained a general contractor license, but received no city bids or special treatment. Council members commended the handling of misinformation.

Motion by Gondeck, seconded by Lloyd, to adjourn.

Motion carried, unanimous.

Meeting adjourned 7:06 p.m.

_____ Sarah A. Brunn, Administrator

(Minutes By: Sara Judson Brown, Administrative Assistant, using AI recording device)

April 1, 2026

To Whom It May Concern:

This notice is in regard to the City considering vacation of right-of-way located on/near the property of 531 Dewey Street. The City Council of Foley, Minnesota gives notice that it will hold a public hearing on April 21, 2026 at 5:30pm or soon after that as can be heard, at the City Hall, 251 4th Avenue N, Foley, to discuss the vacation of right-of-way as legally described below:

Block Seven (7) of Foley's First Addition to the Town (now Village) of Foley, Benton County, Minnesota.

You are receiving this notice because you are a nearby property owner, utility or other entity possibly affected by the vacation. If you have any questions or concerns about this vacation, please contact the Foley City Hall at 320-968-7260 or via email at contactus@ci.foley.mn.us.

Sincerely,

A handwritten signature in cursive script that reads "Sarah A. Brunn".

Sarah A. Brunn
City Administrator

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2026-15

A RESOLUTION TO VACATE RIGHT-OF-WAY

WHEREAS, the City of Foley (“Owner”) owns the property (the “Property”), shown in **Exhibit A** and legally described as follows:

Block Seven (7) of Foley's First Addition to the Town (now Village) of Foley, Benton County, Minnesota.

WHEREAS, the right-of-way is not currently improved; and

WHEREAS, the City had vacated this area prior, but no official recording of the action was made;

WHEREAS, the property was designated for an alley which has been determined an unlikely improvement the City would make;

WHEREAS, due and proper published and posted notice of public hearing has been given by the City as required by law; and

WHEREAS, after a public hearing held on this date, the City Council finds that it is in the public interest to vacate the right-of-way hereinafter described.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City of Foley, Minnesota, as follows:

1. The City’s right-of way is hereby vacated.
2. The Mayor and the City Clerk are hereby authorized and directed to execute and record this Resolution with the Benton County Recorder.

This Resolution is adopted on this 21st day of April, 2026.

CITY OF FOLEY, MINNESOTA

By _____
Brandon Voit, Mayor

ATTEST:

Sarah A. Brunn, City Administrator

STATE OF MINNESOTA)
) ss
COUNTY OF BENTON)

The foregoing was acknowledged before me this 21st day of April, 2026, by Brandon Voit, as the Mayor of the City of Foley, Minnesota, a municipal corporation under the laws of the State of Minnesota.

Notary Public

STATE OF MINNESOTA)
) ss
COUNTY OF BENTON)

The foregoing was acknowledged before me this 21st day of April, 2026, by Sarah A. Brunn, as the City Administrator of the City of Foley, Minnesota, a municipal corporation under the laws of the State of Minnesota.

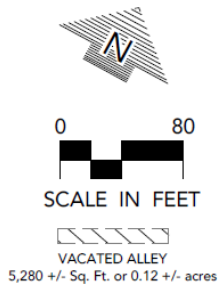
Notary Public

EXHIBIT A

(Description and Sketch of Vacation)

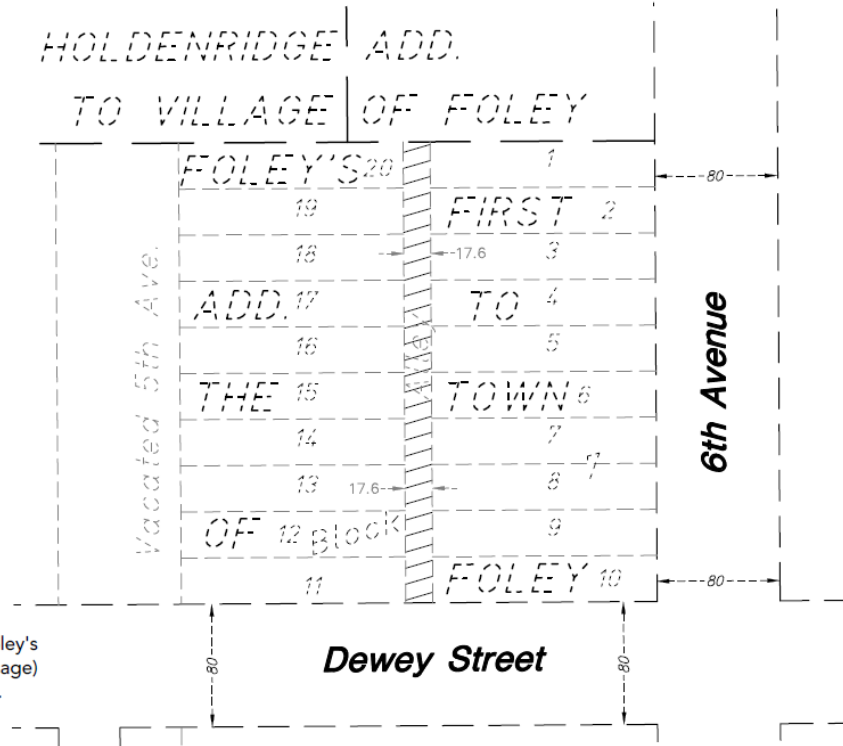
Block Seven (7) of Foley's First Addition to the Town (now Village) of Foley, Benton County, Minnesota.

EXHIBIT



Alley Vacation
March 16, 2026

The alley in Block Seven (7) of Foley's First Addition to the Town (now Village) of Foley, Benton County, Minnesota.



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dillon J. Tews

Dillon J. Tews - PLS, Benton County Deputy Surveyor License No. 62268

03/16/26
Date

LOUCKS
Loucks Project No. 250140B



City of Foley

251 4th Avenue North • P.O. Box 709
Foley, Minnesota 56329
(320) 968-7260 • Fax (320) 968-6325
www.ci.foley.mn.us • email: contactus@ci.foley.mn.us

April 8, 2026

Dear Property Owner,

Enclosed you will find a Notice of Public Hearing scheduled for 5:30 p.m. on April 21, 2026 on the application of the City of Foley to obtain approval for the rezoning from A-1 to R-1 of South Fairway Estates located near 12991 55th Street NE, Foley, MN 56329.

You are receiving the enclosed Notice of Public Hearing according to the zoning ordinance regulating rezoning where individual property owners within 350 feet of the property included in the request shall receive written notice of the public hearing's time, place and purpose for the opportunity to comment on the request.

If you have any questions concerning this notice, please contact the Foley City Hall, 968-7260. Thank you for your time in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Sarah A. Brunn".

Sarah A. Brunn
City Administrator

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF
PRELIMINARY PLAT IN THE CITY OF FOLEY

Notice is hereby given that on the 21st day of April, at 5:30 P.M. or as soon thereafter, the City Council and the Planning Commission will hold a joint public hearing to consider the preliminary plat request of the City of Foley. The hearing will be located at 251 4th Avenue N, Foley, MN 56329.

The property under consideration is the South Fairway Estates plat that is currently being processed and located near 12991 55th Street NE, Foley, MN. The original parcel is legally described as:

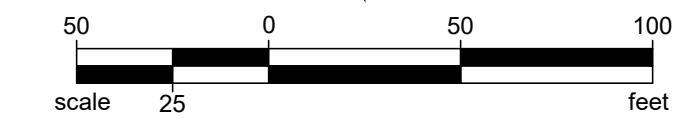
All that part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 37 North, Range 29 West, Benton County, Minnesota described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 22 minutes 05 seconds West, along the South line of said Southeast Quarter of the Southwest Quarter, a distance of 140.01 feet to the Point of Beginning; thence continue South 89 degrees 22 minutes 05 seconds West, 1157.34 feet to the East line of the West 32.89 feet of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 15 minutes 35 seconds East, along said East line of the West 32.89 feet, a distance of 261.03 feet to the North line of the South 261.00 feet of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 22 minutes 05 seconds West, along said North line of the South 261.00 feet, a distance of 32.89 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 15 minutes 35 seconds East, along said West line, a distance of 646.27 feet; thence North 89 degrees 03 minutes 13 seconds East, 755.45 feet; thence South 49 degrees 58 minutes 35 seconds East, 564.41 feet to the East line of the West 140.00 feet of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 09 minutes 36 seconds West, along said East line of the West 140.00 feet, a distance of 543.67 feet to the point of beginning and terminating thereat.

Anyone wishing to appear with reference to the above will be heard at this meeting.

Sarah A. Brunn
City Administrator

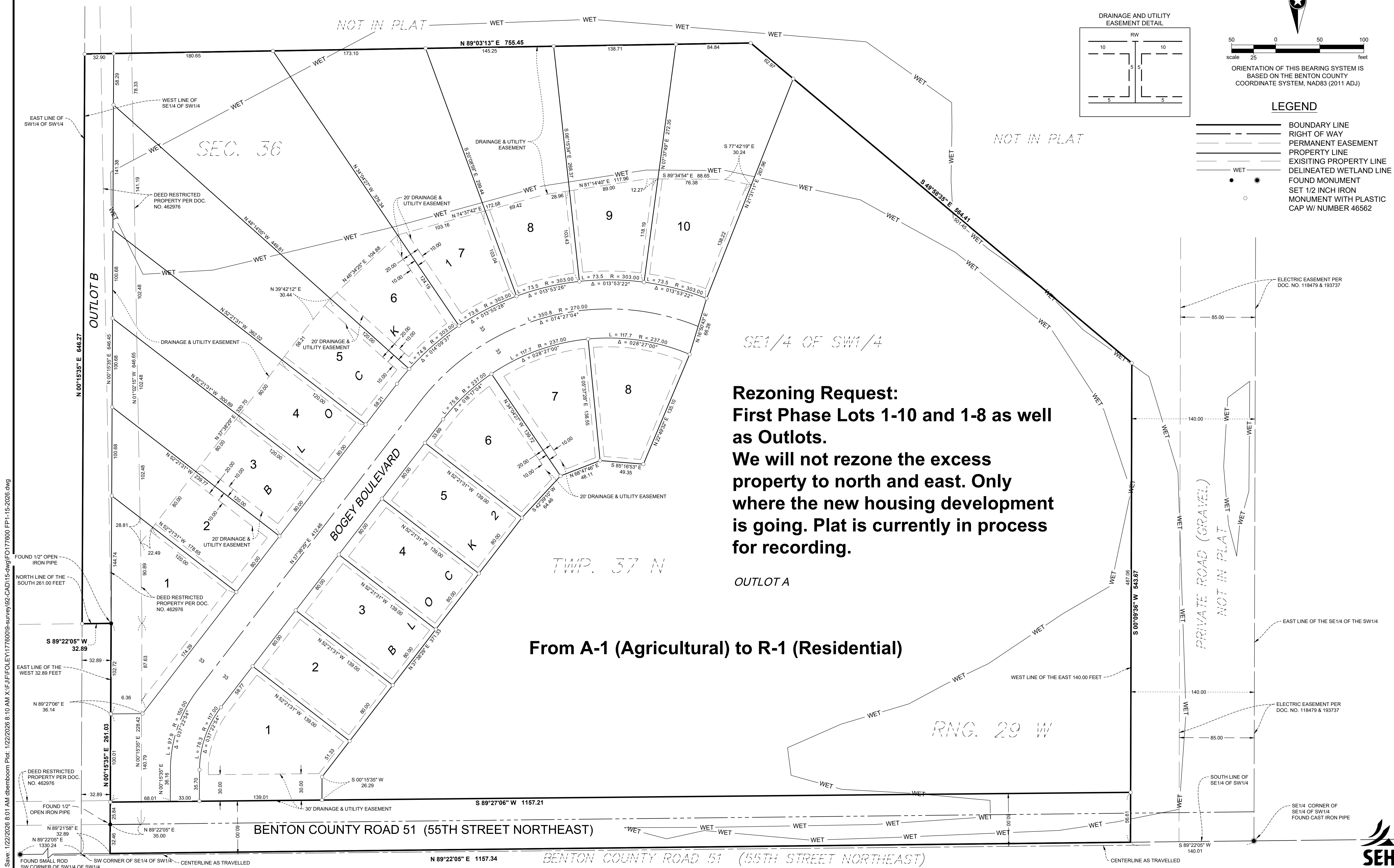
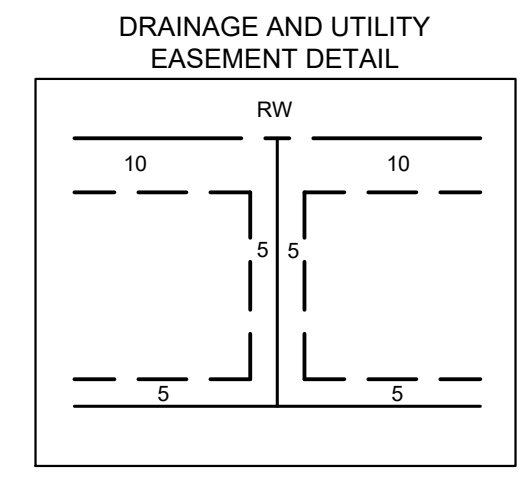
SOUTH FAIRWAY ESTATES



ORIENTATION OF THIS BEARING SYSTEM IS
BASED ON THE BENTON COUNTY
COORDINATE SYSTEM, NAD83 (2011 ADJ)

LEGEND

- BOUNDARY LINE
- RIGHT OF WAY
- PERMANENT EASEMENT
- PROPERTY LINE
- EXISTING PROPERTY LINE
- DELINEATED WETLAND LINE
- FOUND MONUMENT
- SET 1/2 INCH IRON MONUMENT WITH PLASTIC CAP W/ NUMBER 46562



Rezoning Request:
First Phase Lots 1-10 and 1-8 as well as Outlots.
 We will not rezone the excess property to north and east. Only where the new housing development is going. Plat is currently in process for recording.

From A-1 (Agricultural) to R-1 (Residential)

Save: 1/22/2026 8:01 AM dbombom Plot: 1/22/2026 8:10 AM X:\JFR\OLEV\1776009-survey\92-CAD\15-dwg\F0177600 FP1-15-2026.dwg



City of Foley
Zoning Amendment
Findings & Order

Date: 4/13/26

Applicant Name: City of Foley

Property Location: South Fairway Estates Plat near 12991 55th St NE,
Foley, MN 56329

Zoning of Property: A1

Zoning Request: from A1 to R1

The following conditions apply to the property request:

1. _____

2. _____

3. _____

THE FOLEY PLANNING COMMISSION RECOMMENDS:

Approved Not Approved

Comments: _____

4/13/26
Date

Candice Kautz
Chair, Foley Planning Commission

THE FOLEY CITY COUNCIL DETERMINES:

Approved Not Approved

Date of Public Hearing: _____ Time: _____

Results: _____

Date

Mayor

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2026-16

RESOLUTION AMENDING ZONING ORDINANCE AND MAP FOR REZONING OF SOUTH
FAIRWAY ESTATES FROM A-1 to R-1 FOR RESIDENTIAL DEVELOPMENT

RECITALS

- A. City of Foley (the “Developer”) owns Tax PID 130007704, legally described in **Exhibit A** and currently vacant land zoned A-1 Agricultural.
- B. The City of Foley has approved a plat for a portion of PID 130007704 for which a housing development is planned, known as South Fairway Estates, (the “Lots), shows as **Exhibit B**.
- C. The Developer is currently in the process of recording South Fairway Estates at the county.
- D. The Developer wishes to rezone the first phase of this plat, and the outlot which is for a future Phase II which is described in **Exhibit B**.
- E. The Foley Planning Commission has reviewed the rezoning request and determined that it is consistent with the City’s comprehensive plan, does not create land use conflicts with neighboring properties, is a logical orderly growth of residential activities, and will not strain public services.

FINDINGS OF FACT

Rezoning

- 1. The Developer is the owner of the “Lots”.
- 2. The Developer owns the “Lots” consents to the rezoning.
- 3. The Property is vacant.
- 4. The Developer has submitted a survey and other information required by the zoning ordinance.
- 5. The Foley Planning Commission has reviewed the rezoning request and recommends approval.

6. A public hearing, with proper mailed and published notice, was conducted April 21, 2026.
7. The R-1 zoning classification and the proposed use, is compatible with neighboring properties.
8. The rezoning is consistent with the City's comprehensive plan:
 - a. Allows for residential housing development.
 - b. Promotes infill of existing city land and provides much needed housing stock.
 - c. Is compatible with surrounding land uses, not causing a decrease in residential property values.
9. The rezoning will not create a strain on public services in the City.

NOW, THEREFORE, the Foley City Council hereby ordains as follows:

1. The above Findings of Fact are adopted by the Foley City Council.
2. The rezoning application is granted by the Foley City Council.
3. City staff is directed to revise the City's zoning map accordingly.

PASSED AND ADOPTED by unanimous vote of the City Council of the City of Foley this 21st day of April, 2026.

Brandon Voit, Mayor

ATTEST:

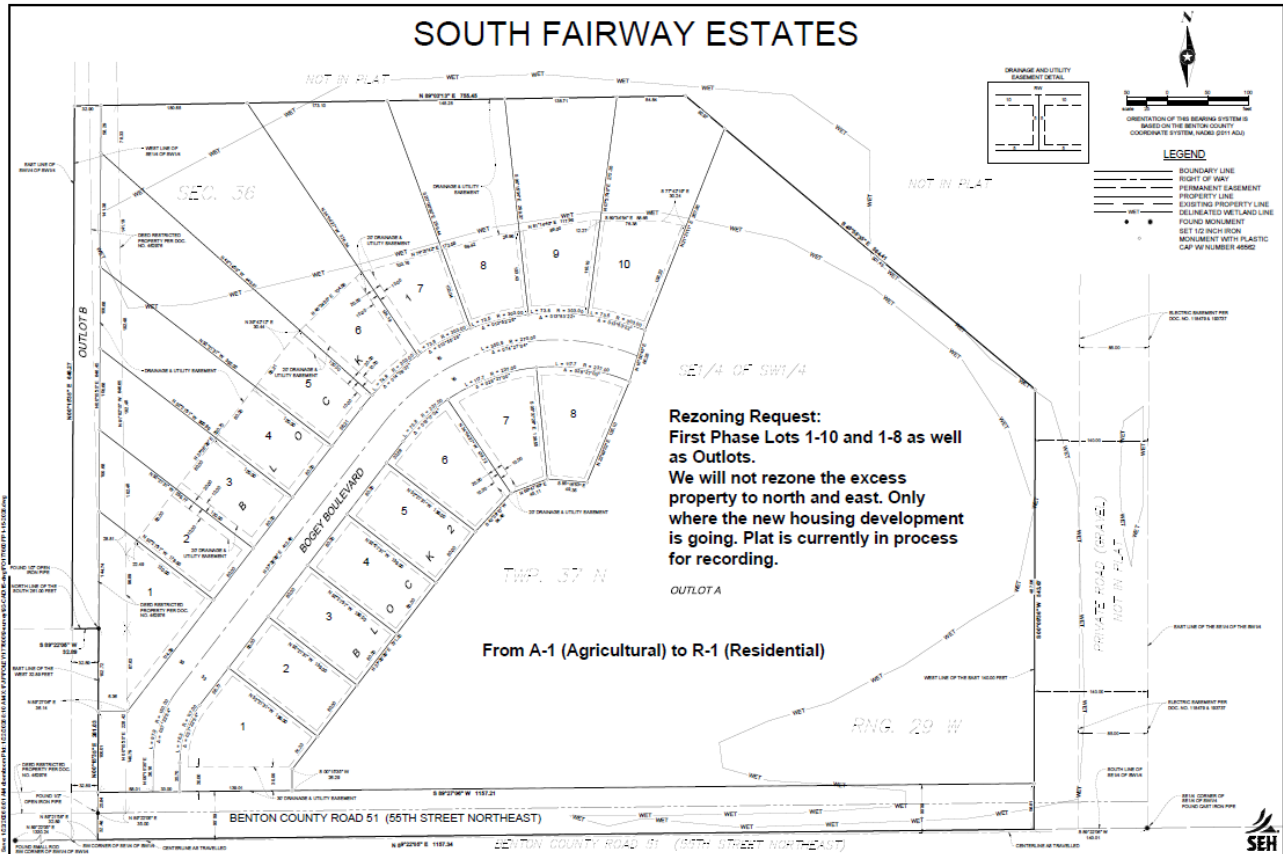
Sarah A. Brunn, City Administrator

EXHIBIT A
LEGAL DESCRIPTION OF PID 130007704 (Entire Original Parcel)

All that part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 37 North, Range 29 West, Benton County, Minnesota described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 22 minutes 05 seconds West, along the South line of said Southeast Quarter of the Southwest Quarter, a distance of 140.01 feet to the Point of Beginning; thence continue South 89 degrees 22 minutes 05 seconds West, 1157.34 feet to the East line of the West 32.89 feet of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 15 minutes 35 seconds East, along said East line of the West 32.89 feet, a distance of 261.03 feet to the North line of the South 261.00 feet of said Southeast Quarter of the Southwest Quarter; thence South 89 degrees 22 minutes 05 seconds West, along said North line of the South 261.00 feet, a distance of 32.89 feet to the West line of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 15 minutes 35 seconds East, along said West line, a distance of 646.27 feet; thence North 89 degrees 03 minutes 13 seconds East, 755.45 feet; thence South 49 degrees 58 minutes 35 seconds East, 564.41 feet to the East line of the West 140.00 feet of said Southeast Quarter of the Southwest Quarter; thence South 00 degrees 09 minutes 36 seconds West, along said East line of the West 140.00 feet, a distance of 543.67 feet to the point of beginning and terminating thereat.

EXHIBIT B
South Fairway Estates (New Development)





Building a Better World
for All of Us®

April 16, 2026

RE: Foley, Minnesota
2026 Lead Water Service Line Replacement
SEH No. FOLEY 188243 14.00

Honorable Mayor and City Council
c/o Sarah Brunn, Administrator
City of Foley
251 4th Avenue North
Foley, MN 56329

Dear Ms. Brunn:

Bids were opened via QuestCDN at 10:00 a.m. on April 15, 2026, for the above-referenced improvement. A total of 4 bids were received ranging between \$360,908.50 and \$839,381.70. The low bid was submitted by Triple E Water & Sewer LLC of Crystal, Minnesota in the amount of \$360,908.50. A complete tabulation of bids is enclosed.

We know of no reason the project should not be awarded to the low bidder for the amount of \$360,908.50.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jarod Griffith".

Jarod Griffith, PE
Project Manager
(Lic. MN)

mrB

Enclosure

c: Mark Pappenfus, City of Foley

x:\fj\foley\188243\1-gen\14-corr\2026.04.16 | owner recommend award.docx

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 2351 Connecticut Avenue, Suite 300, Sartell, MN 56377-2485

320.229.4300 | 800.572.0617 | 888.908.8166 fax

SEH is 100% employee-owned | Affirmative Action—Equal Opportunity Employer



TABULATION OF BIDS

SEH NO.: FOLEY 188243
 NAME: 2026 LEAD WATER SERVICE LINE REPLACEMENT
 OWNER: CITY OF FOLEY, MINNESOTA
 BID DATE: 10:00 A.M., WEDNESDAY, APRIL 15, 2026

ITEM	DESCRIPTION	UNIT	QUANTITY	ENGINEER'S ESTIMATE		1 TRIPLE E WATER & SEWER		2 LEVANEN UNDERGROUND		3 MOTIV EXCAVATING		4 MOLITOR EXCAVATING	
				UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	MOBILIZATION	LUMP SUM	1.00	\$50,000.00	\$50,000.00	\$15,000.00	\$15,000.00	\$25,000.00	\$25,000.00	\$105,500.00	\$105,500.00	\$93,000.00	\$93,000.00
2	CLEARING	EACH	4.00	\$600.00	\$2,400.00	\$150.00	\$600.00	\$850.00	\$3,400.00	\$1,380.00	\$5,520.00	\$2,500.00	\$10,000.00
3	GRUBBING	EACH	4.00	\$500.00	\$2,000.00	\$150.00	\$600.00	\$850.00	\$3,400.00	\$955.00	\$3,820.00	\$1,500.00	\$6,000.00
4	REMOVE CONCRETE STEPS	EACH	1.00	\$400.00	\$400.00	\$1.00	\$1.00	\$500.00	\$500.00	\$480.00	\$480.00	\$500.00	\$500.00
5	REMOVE CONCRETE CURB	LIN FT	392.00	\$25.00	\$9,800.00	\$1.00	\$392.00	\$5.00	\$1,960.00	\$11.50	\$4,508.00	\$20.00	\$7,840.00
6	REMOVE BITUMINOUS PAVEMENT	SQ YD	251.00	\$40.00	\$10,040.00	\$1.00	\$251.00	\$10.00	\$2,510.00	\$11.50	\$2,886.50	\$35.00	\$8,785.00
7	REMOVE CONCRETE PAVEMENT	SQ YD	450.00	\$50.00	\$22,500.00	\$1.00	\$450.00	\$15.00	\$6,750.00	\$32.00	\$14,400.00	\$40.00	\$18,000.00
8	SALVAGE MAILBOX	EACH	9.00	\$50.00	\$450.00	\$1.00	\$9.00	\$100.00	\$900.00	\$133.00	\$1,197.00	\$150.00	\$1,350.00
9	SALVAGE LANDSCAPE	SQ YD	2.00	\$200.00	\$400.00	\$1.00	\$2.00	\$120.00	\$240.00	\$106.00	\$212.00	\$150.00	\$300.00
10	SALVAGE FENCE	LIN FT	42.00	\$50.00	\$2,100.00	\$1.00	\$42.00	\$50.00	\$2,100.00	\$26.50	\$1,113.00	\$40.00	\$1,680.00
11	SALVAGE CONCRETE PAVERS	SQ FT	7.00	\$100.00	\$700.00	\$1.00	\$7.00	\$50.00	\$350.00	\$38.00	\$266.00	\$250.00	\$1,750.00
12	COMMON EMBANKMENT	CU YD	100.00	\$20.00	\$2,000.00	\$15.00	\$1,500.00	\$15.00	\$1,500.00	\$20.00	\$2,000.00	\$35.00	\$3,500.00
13	SELECT GRANULAR BACKFILL (LV)	CU YD	100.00	\$30.00	\$3,000.00	\$38.00	\$3,800.00	\$30.00	\$3,000.00	\$25.00	\$2,500.00	\$45.00	\$4,500.00
14	GRAVEL DRIVEWAY RESTORATION	SQ YD	4.00	\$60.00	\$240.00	\$25.00	\$100.00	\$420.00	\$1,680.00	\$10.65	\$42.60	\$510.00	\$2,040.00
15	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	39.00	\$200.00	\$7,800.00	\$165.00	\$6,435.00	\$185.00	\$7,215.00	\$150.00	\$5,850.00	\$250.00	\$9,750.00
16	BITUMINOUS DRIVEWAY RESTORATION	SQ YD	13.00	\$80.00	\$1,040.00	\$81.00	\$1,053.00	\$68.00	\$884.00	\$105.00	\$1,365.00	\$95.00	\$1,235.00
17	BITUMINOUS STREET RESTORATION	SQ YD	238.00	\$100.00	\$23,800.00	\$55.00	\$13,090.00	\$68.00	\$16,184.00	\$131.00	\$31,178.00	\$85.00	\$20,230.00
18	TRACER WIRE SYSTEM	LUMP SUM	1.00	\$8,000.00	\$8,000.00	\$3,800.00	\$3,800.00	\$2,000.00	\$2,000.00	\$5,925.00	\$5,925.00	\$15,000.00	\$15,000.00
19	TELEWISE AND LOCATE SANITARY SEWER SERVICE (PRE & POST CONSTRUCTION)	EACH	39.00	\$1,000.00	\$39,000.00	\$500.00	\$19,500.00	\$350.00	\$13,650.00	\$166.00	\$6,474.00	\$1,800.00	\$70,200.00
20	PREPARE FINISHED BASEMENT FOR WATER SERVICE REPLACEMENT	EACH	5.00	\$2,000.00	\$10,000.00	\$600.00	\$3,000.00	\$900.00	\$4,500.00	\$1,700.00	\$8,500.00	\$3,500.00	\$17,500.00
21	CONNECT TO EXISTING INDOOR PLUMBING	EACH	39.00	\$1,000.00	\$39,000.00	\$1,900.00	\$74,100.00	\$615.00	\$23,985.00	\$1,307.00	\$50,973.00	\$800.00	\$31,200.00
22	CONNECT TO EXISTING WATER SERVICE, CURB STOP	EACH	15.00	\$900.00	\$13,500.00	\$150.00	\$2,250.00	\$650.00	\$9,750.00	\$1,875.00	\$28,125.00	\$800.00	\$12,000.00
23	CONNECT TO EXISTING WATER SERVICE	EACH	24.00	\$1,000.00	\$24,000.00	\$200.00	\$4,800.00	\$250.00	\$6,000.00	\$2,135.00	\$51,240.00	\$1,200.00	\$28,800.00
24	PROVIDE FILTER PITCHER	EACH	39.00	\$200.00	\$7,800.00	\$50.00	\$1,950.00	\$110.00	\$4,290.00	\$44.00	\$1,716.00	\$125.00	\$4,875.00
25	INDOOR PLUMBING TO RELOCATE WATER METER, COPPER	LIN FT	10.00	\$50.00	\$500.00	\$80.00	\$800.00	\$43.00	\$430.00	\$423.00	\$4,230.00	\$150.00	\$1,500.00
26	INDOOR PLUMBING TO RELOCATE WATER METER, PEX	LIN FT	10.00	\$45.00	\$450.00	\$65.00	\$650.00	\$40.00	\$400.00	\$312.00	\$3,120.00	\$125.00	\$1,250.00
27	1" HDPE SERVICE PIPE REPLACEMENT	LIN FT	1775.00	\$125.00	\$221,875.00	\$62.00	\$110,050.00	\$65.00	\$115,375.00	\$45.00	\$79,875.00	\$165.00	\$292,875.00
28	CURB STOP & BOX	EACH	24.00	\$1,500.00	\$36,000.00	\$550.00	\$13,200.00	\$450.00	\$10,800.00	\$1,010.00	\$24,240.00	\$900.00	\$21,600.00
29	CURB STOP BOX	EACH	15.00	\$500.00	\$7,500.00	\$250.00	\$3,750.00	\$450.00	\$6,750.00	\$725.00	\$10,875.00	\$600.00	\$9,000.00
30	3" INSULATION	SQ YD	14.00	\$70.00	\$980.00	\$30.00	\$420.00	\$70.00	\$980.00	\$30.00	\$420.00	\$125.00	\$1,750.00
31	CASTING ASSEMBLY SPECIAL	EACH	3.00	\$650.00	\$1,950.00	\$135.00	\$405.00	\$450.00	\$1,350.00	\$190.00	\$570.00	\$400.00	\$1,200.00
32	4" CONCRETE WALK	SQ FT	3092.00	\$15.00	\$46,380.00	\$8.00	\$24,736.00	\$16.00	\$49,472.00	\$10.15	\$31,383.80	\$12.25	\$37,877.00



TABULATION OF BIDS

SEH NO.: FOLEY 188243
 NAME: 2026 LEAD WATER SERVICE LINE REPLACEMENT
 OWNER: CITY OF FOLEY, MINNESOTA
 BID DATE: 10:00 A.M., WEDNESDAY, APRIL 15, 2026

ITEM	DESCRIPTION	UNIT	QUANTITY	ENGINEER'S ESTIMATE		¹ TRIPLE E WATER & SEWER		² LEVANEN UNDERGROUND		³ MOTIV EXCAVATING		⁴ MOLITOR EXCAVATING	
				UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
33	CONCRETE STEPS	EACH	1.00	\$1,000.00	\$1,000.00	\$800.00	\$800.00	\$1,500.00	\$1,500.00	\$900.00	\$900.00	\$1,000.00	\$1,000.00
34	CONCRETE CURB	LIN FT	417.00	\$35.00	\$14,595.00	\$32.00	\$13,344.00	\$35.00	\$14,595.00	\$32.00	\$13,344.00	\$44.50	\$18,556.50
35	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	111.00	\$200.00	\$22,200.00	\$75.00	\$8,325.00	\$115.00	\$12,765.00	\$103.00	\$11,433.00	\$92.70	\$10,289.70
36	INSTALL MAILBOX	EACH	9.00	\$50.00	\$450.00	\$25.00	\$225.00	\$100.00	\$900.00	\$133.00	\$1,197.00	\$400.00	\$3,600.00
37	INSTALL LANDSCAPE	SQ YD	2.00	\$200.00	\$400.00	\$250.00	\$500.00	\$85.00	\$170.00	\$106.00	\$212.00	\$250.00	\$500.00
38	INSTALL FENCE	LIN FT	42.00	\$75.00	\$3,150.00	\$30.00	\$1,260.00	\$100.00	\$4,200.00	\$53.00	\$2,226.00	\$125.00	\$5,250.00
39	INSTALL CONCRETE PAVERS	SQ FT	7.00	\$100.00	\$700.00	\$30.00	\$210.00	\$50.00	\$350.00	\$76.00	\$532.00	\$400.00	\$2,800.00
40	ELECTRICAL SERVICE GROUND	EACH	39.00	\$1,000.00	\$39,000.00	\$200.00	\$7,800.00	\$650.00	\$25,350.00	\$610.00	\$23,790.00	\$650.00	\$25,350.00
41	TRAFFIC CONTROL	LUMP SUM	1.00	\$8,000.00	\$8,000.00	\$8,500.00	\$8,500.00	\$6,000.00	\$6,000.00	\$2,500.00	\$2,500.00	\$7,500.00	\$7,500.00
42	CONIFEROUS TREE 6' HT B&B	EACH	1.00	\$700.00	\$700.00	\$350.00	\$350.00	\$500.00	\$500.00	\$560.00	\$560.00	\$900.00	\$900.00
43	DECIDUOUS TREE 2" CAL B&B	EACH	4.00	\$700.00	\$2,800.00	\$300.00	\$1,200.00	\$680.00	\$2,720.00	\$560.00	\$2,240.00	\$750.00	\$3,000.00
44	STORM DRAIN INLET PROTECTION	EACH	23.00	\$300.00	\$6,900.00	\$85.00	\$1,955.00	\$250.00	\$5,750.00	\$55.00	\$1,265.00	\$195.00	\$4,485.00
45	SEDIMENT CONTROL LOG TYPE WOOD FIBER	LIN FT	1190.00	\$8.00	\$9,520.00	\$3.50	\$4,165.00	\$4.50	\$5,355.00	\$4.55	\$5,414.50	\$4.50	\$5,355.00
46	TURF ESTABLISHMENT	SQ YD	962.00	\$10.00	\$9,620.00	\$5.75	\$5,531.50	\$6.00	\$5,772.00	\$6.00	\$5,772.00	\$14.25	\$13,708.50
GRAND TOTAL BID					\$714,640.00		\$360,908.50		\$413,232.00		\$561,890.40		\$839,381.70

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Supplemental Letter Agreement

In accordance with the Master Agreement for Professional Services between City of Foley ("Client"), and Short Elliott Hendrickson Inc. ("Consultant"), effective January 1, 2016, this Supplemental Letter Agreement dated April 21, 2026 authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: **2026 South Fairway Estates, Phase 1 – Construction Services.**

Client's Authorized Representative: Sarah Brunn

Address: PO Box 709, Foley, Minnesota 56329

Telephone: 320.968.7260

Email: sbrunn@ci.foley.mn.us

Project Manager: Kari Franklin

Address: 2351 Connecticut Avenue, Suite 300, Sartell, Minnesota 56377

Telephone: 320.229.4342

Email: kfranklin@sehinc.com

Scope: The Services to be provided by Consultant:

Provide construction services for South Fairway Estates, Phase 1. The construction includes sanitary sewer, water main, storm sewer, streets, and minor grading. The construction will be based on the construction plans prepared by SEH and approved by the City of Foley.

Task 4: Construction Administration

Provide construction administration services associated with construction of the proposed improvements and coordination with the Contract Documents. Specific tasks included are:

- Coordinate execution of the Contract Documents.
- Coordinate and lead a pre-construction conference.
- Review Contractor material submittals and shop drawings for compliance with the plans and specifications.
- Make periodic site visits by Engineer to observe progress and quality of executed work of Contractor(s).
- Coordinate and conduct weekly construction meetings (Assumes up to 15).
- Assist in the coordination with small utility installation.
- Prepare pay applications (Assumes up to 5).
- Prepare monthly construction progress reports.
- Review and preparation of change orders.
- Serve as the liaison between City and Contractor.
- Maintain and prepare record drawings.

Task 5: Construction Staking

Provide construction staking and field survey services associated with the proposed improvements. Specific tasks included are:

- Office computations for construction staking of project.
- Setting horizontal and vertical control points around the exterior of the site.
- Provide construction staking (staked once).
- Document staked points locations and elevations.
- Provide Contractor with construction staking information.
- Assumes up to 10 site visits.

Task 6: Construction Observation (RPR)

Provide construction observation services (i.e. Resident Project Representative; RPR) to document conformance to the Contract Documents. Specific tasks included are:

- Full time Resident Project Representation (RPR) services will be provided on the public infrastructure
 - Sanitary Sewer (Assumes up to 145 hours)
 - Water Main (Assumes up to 75 hours)
 - Storm Sewer Assumes up to 50 hours)
 - Roadway Corridor (Assumes up to 86 hours)
- Part-time Resident Project Representation (RPR) services will be provided on
 - Removals and Clearing (Assumes up to 14 hours)
 - Grading (Assumes up to 30 hours)
 - Turf Establishment (Assumes up to 23 hours)
- Miscellaneous observation items (Assumes up to 83 hours)
 - Observe and document testing procedures and results.
 - Document daily work activities for conformance to the plans and specifications.
 - Measure and document bid items for payment.
 - Prepare punch list.
 - Assist the Client with the final walkthrough and project closeout documents.

Resident Project Representative Services

RPR services will be provided in accordance with attached Exhibit B-1.

Assumptions:

- No vertical work (homes, driveways and lot internal sidewalk) is included in this agreement.
- No final plat or associated staking working is included in this agreement.
- Construction soil and materials testing services are not included in this proposed fee. Construction testing services to be paid for directly by the Client.
- Permit fees to be paid directly by the Client.
- Construction Services have been budgeted assuming construction contract duration for construction operations do not exceed 15 weeks. Construction services beyond 15 weeks would be considered additional services.
- Construction will occur in 2026 and 2027.

Schedule:

- SEH will start services promptly after Client obtains a contractor suitable to construct the project. It is assumed that one General Contractor will be used for the horizontal work.
- All of the work is expected to be constructed in 2026, with the wear course paving to be completed in 2027.

Payment:

The fee is hourly estimated to be \$144,000.00 including expenses and equipment.

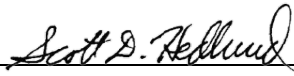
Task 4: Construction Administration	\$ 35,000
Task 5: Construction Staking	\$ 24,000
Task 6: Construction Observation	\$ 85,000
Total	\$ 144,000

The payment method, basis, frequency and other special conditions are set forth in the attached Exhibit A-1. Additional work, if required, shall be compensated hourly.

Other Terms and Conditions: Other or additional terms contrary to the Master Agreement for Professional Services that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein: None.

Short Elliott Hendrickson Inc.

City of Foley

By: 
Full Name: Scott Hedlund
Title: Principal

By: _____
Full Name: _____
Title: _____

Exhibit A-1

Payments to Consultant for Services and Expenses Using the Hourly Basis Option

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

A. Hourly Basis Option

The Client and Consultant select the hourly basis for payment for services provided by Consultant. Consultant shall be compensated monthly. Monthly charges for services shall be based on Consultant's current billing rates for applicable employees plus charges for expenses and equipment.

Consultant will provide an estimate of the costs for services in this Agreement. It is agreed that after 90% of the estimated compensation has been earned and if it appears that completion of the services cannot be accomplished within the remaining 10% of the estimated compensation, Consultant will notify the Client and confer with representatives of the Client to determine the basis for completing the work.

Compensation to Consultant based on the rates is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates shall be appropriately adjusted.

B. Expenses

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services but instead are reimbursable expenses required in addition to hourly charges for services and shall be paid for as described in this Agreement:

1. Transportation and travel expenses.
2. Long distance services, dedicated data and communication services, teleconferences, Project Web sites, and extranets.
3. Lodging and meal expense connected with the Project.
4. Fees paid, in the name of the Client, for securing approval of authorities having jurisdiction over the Project.
5. Plots, Reports, plan and specification reproduction expenses.
6. Postage, handling and delivery.
7. Expense of overtime work requiring higher than regular rates, if authorized in advance by the Client.
8. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Client.
9. All taxes levied on professional services and on reimbursable expenses.
10. Other special expenses required in connection with the Project.
11. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10% markup for the cost of administration and insurance.

The Client shall pay Consultant monthly for expenses.

C. Equipment Utilization

The utilization of specialized equipment, including automation equipment, is recognized as benefiting the Client. The Client, therefore, agrees to pay the cost for the use of such specialized equipment on the project. Consultant invoices to the Client will contain detailed information regarding the use of specialized equipment on the project and charges will be based on the standard rates for the equipment published by Consultant.

The Client shall pay Consultant monthly for equipment utilization.

Exhibit B-1

A Listing of the Duties, Responsibilities and Limitations of Authority of the Resident Project Representative

Through more extensive on site observations of the construction work in progress and field checks of materials and equipment by the Resident Project Representative (RPR), Consultant shall endeavor to provide further protection for Client against defects and deficiencies in the work of contractor (Work); but, the furnishing of such services will not make Consultant responsible for or give Consultant control over construction means, methods, techniques, sequences or procedures or for safety precautions or programs, or responsibility for contractor's failure to perform the Work in accordance with the Contract Documents. Contract Documents are the documents that govern or are pertinent to contractor's Work including but not limited to the agreement between Client and contractor, the contractor's bid, the bonds, construction plans, standard specifications, special provisions, field design changes, permits, manuals, addenda, clarifications, interpretations, change orders, and reviewed shop drawings. The duties and responsibilities of the RPR are further defined as follows:

A. General

RPR is an agent of the Consultant at the site, will act as directed by and under the supervision of Consultant, and will confer with Consultant's project engineer regarding RPR's actions. RPR's dealings in matters pertaining to the on-site work shall in general be with Consultant's project engineer and contractor assisting with keeping the Client informed as necessary. RPR's dealings with subcontractors shall only be through or with the full knowledge and approval of contractor. RPR shall generally communicate with Client with the knowledge of and under the direction of Consultant's project engineer.

B. Duties and Responsibilities of RPR

1. Schedules: Review the proposed construction schedule, schedule of shop drawing submittals and schedule of values prepared by contractor; and consult with Consultant's project engineer concerning acceptability.

2. Conferences and Meetings: Attend meetings with contractor, such as preconstruction conferences, progress meetings, project conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.

3. Liaison:

(a) Serve as Consultant's liaison with contractor, working principally through contractor's superintendent, and assist with understanding / communicating the intent of the Contract Documents; and assist in serving as Client's liaison with contractor when contractor's operations affect Client's on site operations.

(b) Assist in obtaining from Client additional information, when required for proper execution of the Work.

4. Shop Drawings and Samples:

(a) Record date of receipt of shop drawings and submittals provided by the contractor and coordinate that review has been completed by appropriate team members.

(b) Receive samples furnished at the site by contractor, and notify Consultant's project engineer and Client of availability of samples to review.

(c) Notify Consultant's project engineer and contractor of the commencement of any Work requiring a shop drawing or sample if the submittal has not been reviewed for general conformance by Consultant.

5. Review of Work, Observations and Tests:

- (a) Conduct on site observations of the Work in progress to determine if the Work is in general proceeding in accordance with the Contract Documents.
- (b) Regularly update the Consultant's project engineer to keep them informed of issues and progress of the Work.
- (c) Notify the Consultant's project engineer immediately of any unanticipated project conditions, any Work believed to be unsatisfactory or defective and does not conform to the Contract Documents, any unauthorized Work, or any non-conforming materials that are subject to rejection.
- (d) Coordinate with the project materials tester and/or testing consultant to schedule testing. Confirm compliance with project requirements and the project Schedule of Materials Controls. RPR shall confirm that test report records or certificates of compliance have been received prior to the incorporation of materials in the Work.
- (e) Review and monitor the contractor's schedule for construction.
- (f) Confirm that the contractor is performing daily reviews of construction signing, detour signing, completing traffic control maintenance and is taking corrective actions in accordance with the Contract Documents.
- (g) Conduct or coordinate with others the completion of wage interviews in the field with individual contractor/subcontractor employees and properly file documentation in accordance with project requirements.
- (h) Perform reviews of temporary and permanent erosion control measures on the project and verify contractor is maintaining compliance with applicable permits and Contract Documents.
- (i) Determine if tests, equipment and systems start ups and operating and maintenance training are conducted in the presence of appropriate personnel, and that contractor maintains adequate records thereof; and observe, record and report to Consultant appropriate details relative to the test procedures and start ups.
- (j) Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections and report to Consultant's project engineer.
- (k) If unsafe conditions are observed, notify the contractor immediately, and if unresolved, notify the Consultant's project engineer and Client for determination of possible suspension of Work.

6. Interpretation of Contract Documents: Report to Consultant's project engineer when clarifications, interpretations, and requests for information regarding the Contract Documents are requested by contractor and transmit to contractor clarifications and interpretations as issued by Consultant's project engineer.

7. Modifications:

- (a) Convey contractor's suggestions for modifications in construction plans and specifications to Consultant's project engineer and assist with evaluation. Transmit to contractor decisions as issued by Consultant.
- (b) Assist with evaluation of proposed change orders and obtain change justification from contractor. Provide assistance with preparation of final documentation of change orders and field design changes.

8. Records / Reporting:

- (a) Measure and document project field quantities, maintain an up to date item record account, and enter quantities into the Project filing system in a timely manner.
- (b) Maintain orderly files of correspondence, reports of project conferences, shop drawings and samples, reproductions of original Contract Documents including all addenda, change orders, field design changes,

additional drawings issued subsequent to the execution of the construction contract, Consultant's clarifications and interpretations of the Contract Documents, progress reports, and other related documents.

(c) Keep a diary, recording contractor hours on the job site, weather conditions, data relative to questions of change orders, or changed conditions, list of job site visitors, daily activities, decisions, photos, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to Consultant's project engineer.

(d) Document changes in the plans and field conditions for record plan preparation.

(e) Record names, addresses and telephone numbers of all contractors, subcontractors and major suppliers of materials and equipment.

(f) Furnish Consultant's project engineer periodic reports of progress of the Work and of contractor's compliance with the proposed construction schedule.

(g) Prepare appropriate lists of observed items requiring completion or correction by the contractor.

(h) Notify Consultant's project engineer and Client immediately upon the occurrence of any accident.

9. Payment Requests: Review applications for payment for compliance with the established procedure for their submission and forward with recommendations to Consultant's project engineer, noting particularly the relationship of the payment requested to the schedule of values, Work completed and specific pay requests for materials and equipment delivered to the site but not incorporated in the Work.

10. Certificates, Maintenance and Operation Manuals: During the course of the Work, verify that certificates, maintenance and operation manuals and other data required to be assembled and furnished by contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have this material delivered to Consultant for review and forwarding to Client prior to final payment for the Work.

11. Completion:

(a) Prepare final documentation of construction pay items, quantities, material certification and other requirements as per the plans, specifications, and special provisions.

(b) Conduct final inspection in the company of Consultant's project engineer, Client, and contractor and assist with preparation of a final list of items to be completed or corrected.

(c) Observe that all items on final list have been completed or corrected and make recommendations to Consultant's project engineer concerning acceptance.

(d) Assist Consultant's project engineer with preparation of record plans and documentation.

C. Limitations of Authority

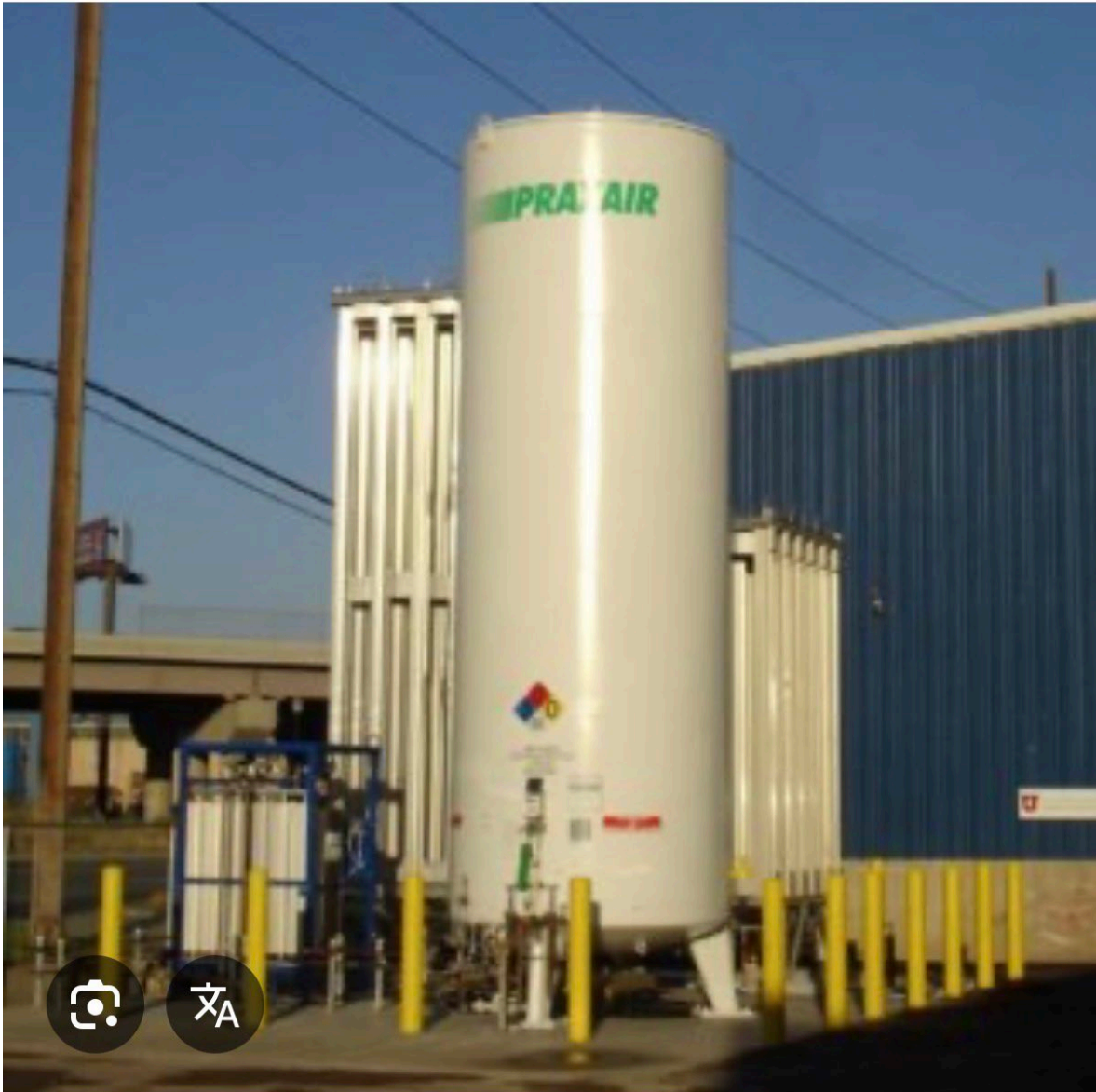
Resident Project Representative:

1. Shall not authorize any deviation from the Contract Documents or substitution of materials or equipment, unless authorized by Client.

2. Shall not provide direction, superintendence, or guidance to the contractor, their crews, their subcontractors, or their suppliers on means and methods to accomplish the Work.

3. Shall not suspend any portion of the Work without explicit Client authorization.
4. Shall not exceed limitations of Consultant's authority as set forth in the Agreement for Professional Services.
5. Shall not undertake any of the responsibilities of contractor, subcontractors or contractor's superintendent.
6. Shall not advise on, issue directions regarding or assume control over safety precautions and programs in connection with the Work.
7. Shall not accept shop drawing or sample submittals from anyone other than contractor.
8. Shall not authorize Client to occupy the Project in whole or in part.
9. Shall not participate in specialized tests or inspections conducted by others except as specifically authorized by Client.

CONCEPT



CITY OF FOLEY – NONCONFORMING USE OVERVIEW (DOMBROVSKI MEATS)

There is no pending land use application before the City at this time. Any future request (rezoning, ordinance amendment, conditional use permit (CUP), etc.) will require: formal application, public notice, Planning Commission review, a public hearing, and Council action.

1. Minnesota Statute § 462.357 (Zoning Authority) – Key Points.

- A. The statute allows existing lawful uses that do not conform to current zoning to continue.
- B. The statute limits expansion or intensification of those nonconforming uses.
- C. The purpose is to:
 - i. Protect property rights of existing uses (both the nonconformity and conforming neighbors); and
 - ii. Gradually bring properties into compliance over time.

2. What is a “Legal Nonconformity”? A lawful use that existed before current zoning regulations but no longer complies. In this case:

- A. The meat processing plant is located in the commercial B-1 zoning district.
- B. The use is considered industrial in nature.
- C. Therefore, it is a legal nonconforming use. Key principle -- It may continue as-is but is subject to restrictions on change or expansion.

3. What Constitutes an Expansion of a Nonconforming Use?

- A. Physical expansion (size/footprint):
 - i. Adding buildings or structures;
 - ii. Expanding existing structures vertically, or horizontally; and
 - iii. Installing large external equipment (e.g., tanks, processing infrastructure).
- B. Expansion of intensity. Even without new buildings, a significant increase in activity can be considered an expansion:
 - i. Increase in number of employees;
 - ii. Increase in truck traffic, deliveries, or shipping;
 - iii. Extended hours of operation; and
 - iv. Increased production capacity.
- C. City Council, in 2005, rejected expansion by not allowing vacation of the road.

4. What is Allowed Under Current B-1 Business Zoning.

- A. Uses typically allowed in the B-1 district are generally consumer facing: retail, office, service businesses. These generally have limited, low-impact production.
- B. Certain transportation-oriented uses are allowed by CUP in the B-1 district.
- C. Heavy production or industrial uses are only allowed in the I-1 or I-2 zoning districts; certain food processing may be allowed in the B-2 district by CUP.

5. Options for Accommodating Expansion.

- A. Rezoning the property:
 - i. Change zoning from commercial to industrial;
 - ii. Must be consistent with the Comprehensive Plan and surrounding land uses; and
 - iii. Requires: public hearing, Planning Commission recommendation, and Council approval.
- B. Zoning ordinance amendment:
 - i. Amend code to allow this type of use (or expanded version) in commercial districts:
 - 1) Adding the use as a conditional use and creating performance standards; and
 - 2) Applies more broadly than just this property.
 - ii. Amend code to broaden applicability of PUD:
 - 1) Similar to CUP but allows more flexibility with uses; may include time limitations; and
 - 2) PUDs apply on a case-by-case basis.
- C. Variance is not an option because “use” variances are not allowed, can only grant a variance from dimension or size constraints.

6. Why Rezoning is Potentially Problematic.

- A. Spot zoning concerns (rezoning a single parcel inconsistent with surrounding uses).
- B. Compatibility issues with nearby commercial or residential properties must align with the Comprehensive Plan.
- C. Potential precedent for similar requests.
- D. Opens the door to any permitted use within the new zoning district and may introduce increased traffic, noise, odor, or operational impacts.
- E. Becomes practically “irreversible.”

7. Key Takeaways for Council.

- A. The existing use is legal but nonconforming.
- B. Expansion—whether physical or operational—is legally restricted.
- C. The City has limited options to allow expansion:
 - i. Rezoning; and
 - ii. Ordinance amendment.
- D. Each option carries policy and legal considerations.
- E. No action is currently required; any future proposal will come through a public process.

Sarah Brunn

From: Adam Ripple <ARipple@rinkenoonan.com>
Sent: Monday, April 6, 2026 1:14 PM
To: Sarah Brunn
Subject: RE: Permit question

Sarah-

The first place to look is always the ordinance and state law. Section 10 of the zoning ordinance and Minn. Stat. 462.357 Subd. 1.e. are both very clear that the intent is to allow continued use WITHOUT expansion. Nonconforming uses are intended to go away over time, in part by not allowing new things such as this tank. Further, this tank seems to be inconsistent with any allowed use in the central business district. It seems the nonconformity would be increasing in scope if the tank is allowed. I don't think a CUP will be adequate and use variances are prohibited. The only real means to accommodate this would be a rezoning, and that seems like a tall order

I understand the political sensitivity of accommodating an existing business, but the best way to do so is through relocation to a more appropriate location within the City. The City has a number of different tools (TIF, tax abatement, business subsidy, etc) that could be brought to bear to help make that happen. Maybe this is a good opportunity to make the best pitch possible to them.

My recommendation is to tell them, "No, but...." And give them layout option to help them relocate.

Adam A. Ripple
Attorney

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From: Sarah Brunn <sbrunn@ci.foley.mn.us>
Sent: Monday, April 6, 2026 11:30 AM
To: Adam Ripple <ARipple@rinkenoonan.com>
Subject: FW: Permit question

Adam –

Dombrovski's are looking to install a very large tank of nitrogen. The meat plant currently operates as a legal non-conforming in a B-1 district – and they do not have a CUP. We have allowed some minor maintenance/upgrades to power and exterior equipment but nothing new and definitely nothing of this size.

CITY OF FOLEY
FOLEY, MINNESOTA
REGULAR MEETING – AUGUST 2, 2005

The Foley City Council held a regular meeting on August 2, 2005, at 7:00 P.M., at the Foley City Hall.

Members present: Mayor Paul Blaszak; Councilmembers, Gary Gruba, Don Otto, Larry Nadeau and Tom Dombrovski.

Members absent: None.

Motion by Gruba seconded by Nadeau to approve the agenda. Motion carried, unanimous.

Motion by Gruba seconded by Otto to approve the minutes of the Council meeting held on July 19, 2005. Motion carried, unanimous.

The Council received the monthly law enforcement report.

Lona Monroe, a former Foley Ambassador and presently an Ambassador Pageant member, was at the meeting to introduce the present Miss Foley, Jennifer Janson and the Foley Princesses, Tracy Fitzpatrick and Sarah Kantor. The Royalty presented an explanation of the preparation necessary to compete in the pageant. They also informed the Council of the activities and parades that they have attended or will be attending and they thanked the Council for the financial and moral support given to them and the pageant.

Steve Jones, City Engineer, presented the following results of the bids for the Norman Avenue/Carpenter Street project:

J.R. Ferche Inc. - \$931,867.32
Randy Kramer Excavating Inc. - \$792,281.30

The engineer's estimate for the project was \$678,000.00. The Carpenter Street part of the project was above the engineer's estimate which will result in a higher assessment for the property owners along the street. The Council discussed rejecting all bids and bidding the project next year. There was a concern that the bids could come in even higher because of the continued increases in fuel prices. There was a discussion about having an informational hearing for the property owners that will be assessed; however if the decision is not made at this meeting to proceed, the project will probably not be able to be completed within this years construction season.

Motion by Gruba seconded by Dombrovski to adopt Resolution 2005-20, accepting the bid for the Carpenter Street and Norman Avenue improvement project. Gruba, Dombrovski and Nadeau aye; Otto nay Blaszak nay. Motion carried.

David Kampa, representing Kampa Meadows development, was at the meeting to discuss the timing for placing the final lift of blacktop on the streets in Kampa Meadows. It was agreed that mid October would be appropriate. He also questioned the escrow account that was deposited with the City to pay for legal and engineering expenses for the project. He requested that the remaining escrow be refunded to him at this time. He also requested a developer's agreement for reimbursement when future hookups occur to the water and sewer lines that were paid for by the Kampa Meadows Development.

The City Attorney will investigate the development agreement with Kampa Meadows to determine the use of escrow funds.

City Attorney, Rachael Holland, updated the Council on the issue of a home that is occupied without a certificate of occupancy.

Motion by Gruba seconded by Otto to direct the City Attorney to start with the eviction process unless the building inspector is contacted to make the necessary inspections and issue a certificate of occupancy. Motion carried, unanimous.

The City Attorney presented Resolutions concerning public nuisances, including unfinished exterior construction, miscellaneous junk and weed elimination. These resolutions are intended to assist the law enforcement to eliminate these nuisances.

Jim Moshier, Public Works Director, informed the Council that the municipal swimming pool will be closing on approximately August 26th. He discussed the possibility of building a new Park Shelter in Holdridge Park, with restrooms and a kitchen facility. The Council directed him to proceed with the design of the building.

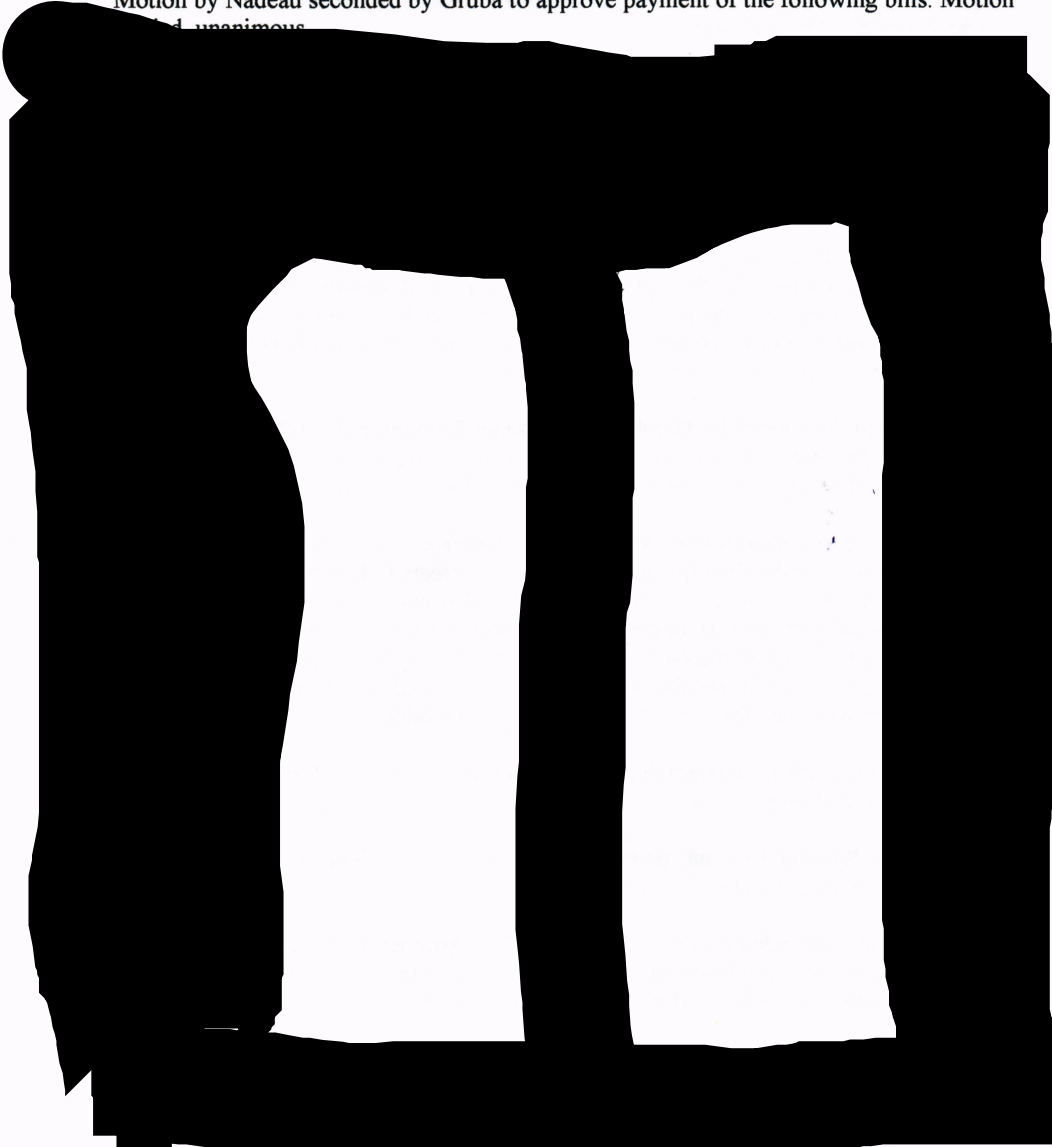
There was a discussion concerning the presentation by Noel Lewandowski, at the last meeting. The discussion concerned the truck traffic that would result if the loading dock would be constructed at the requested location. Alternatives for the location of the loading dock were discussed.

Representatives of Dombrovski Meats were at the meeting to discuss their request to vacate a portion of John Street to construct an addition to the existing facility. Some issues discussed were the tax impact to the City of Foley, the job creation and type of employment, traffic flows and parking, existing utilities in the street, loading dock location, fire fighting impact to this and adjoining businesses, future expansion of the business and financial assistance.

Motion by Otto seconded by Gruba to direct the Administrator to proceed with investigating the turn back of a state aid street to the City and also to investigate the change of status of the tax forfeited land. Motion carried, unanimous.

The Council received a proposed law enforcement contract form the Benton County Sheriff's Office. No action was taken on the contract.

Motion by Nadeau seconded by Gruba to approve payment of the following bills. Motion carried, unanimous.



CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2005-32

A RESOLUTION REQUESTING
TURN BACK OF STATE AID STREET

WHEREAS, the City of Foley would like to obtain the jurisdiction of John Street from 4th Avenue N. to Broadway Avenue N.;

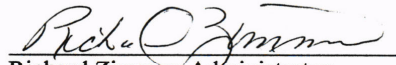
NOW THEREFORE BE IT RESOLVED the City of Foley hereby requests the turn back of a County State Aid Street to the jurisdiction of the City of Foley. The location of the street is John Street from 4th Avenue N. to Broadway Avenue N.

PASSED AND ADOPTED by unanimous vote of the Foley City Council this 20th day of December, 2006.



Paul Blaszak, Mayor

ATTEST:



Richard Zimmer, Administrator

CITY OF FOLEY
FOLEY, MINNESOTA
REGULAR MEETING – JUNE 7, 2005

The Foley City Council held a regular meeting on June 7, 2005, at 7:00 P.M., at the Foley City Hall.

Members present: Mayor Paul Blaszak; Councilmembers, Gary Gruba, Don Otto and Larry Nadeau.

Members absent: Councilmember Tom Dombrowski.

Motion by Otto seconded by Gruba to approve the agenda. Motion carried, unanimous.

Motion by Gruba seconded by Otto to approve the minutes of the Council meetings held on April 26, 2005 and May 17, 2005. Motion carried, unanimous.

The Council meeting was recessed and informational hearing on a consideration to vacate a portion of John Street, was called to order.

Pat Dombrowski, president of Dombrowski Meats, presented an explanation of the proposed expansion of Dombrowski Meats, which would include construction of a building on the vacated portion of John Street and also on a portion of the lot north of the vacated portion of John Street. The expansion would be approximately 18,000 sq. ft. and would allow for extra product lines to be put into place. He stated that he is investigating alternatives to help alleviate the existing and potentially increased parking problem. The expansion would create an increased tax base for the City and would keep activity in the downtown area while other business has recently relocated to the intersection of Highways 23 & 25.

The informational hearing was opened to comments from the public.

Ron Youso, owner of the Benton County News, stated that there is an existing parking problem and any increased employment would add to the parking problem. Also closing a portion of John Street would eliminate some parking spaces that exist on John Street. The loading dock located off of Broadway Avenue causes traffic stoppage when the trucks are backing into the loading dock and any expansion of the business would only increase the trucks that are already blocking traffic. There is a sewer line and utilities under John Street that could pose a problem in the future if there is a building over the street. He stated that the City should explore all other alternatives before considering closing John Street; he also suggested that the closing should go to a public vote instead of making it a City Council decision.

Bruce Thompson, owner of Foley Hardware, stated that business expansion is good for the City of Foley, especially the increased tax base that is created. He stated that residential development does not pay for the services that are needed; however the industrial and commercial development tax base more than pays for the services that are needed.

Kathy Brenny, owner of New Dimensions Hair Design, stated that there is already a parking problem on Broadway Avenue and Dewey Street and her customers have a difficult time finding a parking space within a reasonable walking distance. Several customers are elderly and walking a distance poses a problem. The Dombrowski Meats expansion, with the increased employment and vacating a portion of John Street, will only increase the parking problem.

Ronald LaVigne, owner of LaVigne's Garage, also expressed a concern with the parking problem. Parking spaces for vehicles, left by their owners for services, are difficult to find. Also closing for John Street would make it more difficult for towing of disabled vehicles without having to enter onto Highway #23.

Ken Anderson, representing the Foley School Board, stated that expanding the City's tax base through commercial and industrial development is a positive for the City. He also stated that there have been discussions concerning the parking lot owned by the School District along Dewey Street.

Duane LaVigne, owner of LaVigne's Alignment, also expressed a concern about the limited amount of parking spaces and stated that the problem would increase with the closing of John Street and also the construction on the vacant lot north of John Street. Also there is no overnight parking on Broadway Avenue which causes problems for a person who wants to bring their vehicle in the evening before the scheduled service date.

Chad Murphy, representing Murphy Chevrolet and also chairperson of the Foley Chamber of Commerce, stated that the major opposition to vacating a portion of John Street appears to be the parking problem; which through the cooperation of the City, Dombrovski Meats and existing business should be able to be resolved.

Barb Erickson, 240 Broadway Ave. N., stated that she lives across the street from the existing Dombrovski Meats building. The loading docks which access from Broadway Avenue do cause a problem with stoppage of traffic while the trucks are backing into the dock. Also there are times that trucks are parked in the loading dock over night and the trucks are kept running and are quite loud. It was suggested that the expansion try to accommodate for loading docks off of the vacated John Street.

Dave Erickson, 241 3rd Ave., expressed a concern about the increased truck traffic in the downtown area. He also stated that the downtown area will lose its appeal and character as a small downtown area with the construction of an industrial type building onto a street.

Michelle Elwell, owner of Princess K Beauty Salon, also expressed a concern about the lack of parking. This creates a problem for customers that are not able to walk a distance to enter her building. Alternatives should be investigated before the expansion is allowed in the downtown area.

Jerry Gall, owner of Foley Locker, stated that the street closing should not negatively affect his business. He also stated that through compromise and use of alternative parking areas the parking issues should be able to be resolved.

Brian Thorsten, owner of Thorsten Financial Services – Blue Cross & Blue Shield, expressed his desire to see an increased tax base for the City through industrial and commercial expansion. Dombrovski Meats has been at this location for a number of years and has been allowed to expand at the present location; preventing further expansion would cause a hardship for the business. He also feels that the parking issue can be resolved through a community effort.

A letter from Cecil Wade was read. She stated that it may have been an error to allow the existing expansion at the present location and perhaps the building could have been constructed to allow for a second story on the existing building. Closing John Street would be a handicap for adjacent business and John Street is a natural link between Broadway Ave. and 4th Ave. There was also a concern about how the City would deal with future requests for street closures.

Pat Dombrovski stated that he will attempt to investigate solutions to the parking and loading dock problems.

Jim Moshier, Foley Public Works Director, explained that John Street is a state aid street and that the City would need to request that Benton County change the status of the street and turn it over to the City before it could be vacated. Also the lot north of John Street was a tax forfeited parcel and this issue would also need to be addressed. The process for this to take place will be quite time consuming, so if the Council should decide to proceed the issue will not be resolved for some time.

There was no one else present that requested to speak at the informational hearing. The hearing was adjourned and the regular City Council meeting was reconvened.

The Council received a site plan for the Benton County Public Works Maintenance Facility.

Motion by Otto seconded by Nadeau to approve the Benton County site plan. Motion carried, unanimous.

Steve Jones, City Engineer, presented the results of the bids for the utility construction to the Benton County Public Works Facility. There were 12 bids received that ranged from \$288,859.35 to \$566,422.50.

Motion by Gruba seconded by Otto to adopt Resolution 2005-12, accepting the low bid of Erin Contracting Inc, in the amount of \$288,859.35 for the Benton County Public Works Facility Improvements. Motion carried, unanimous.

Jim Moshier, Public Works Director, informed the Council that the municipal swimming pool will open on schedule on Thursday; however the wading pool will not be available until a future date. He reported that the new well house is now in place, the public works department is preparing for Foley Fun Days and there has been a developer inquiring about water and sewer services to the parcel located at the intersection of Highways 23 & 25.

Mark Pappenfus, Foley Fire Chief, requested authorization to enter into a mutual aid agreement with the Sherburne County Fire Departments Mutual Aid Association.

Motion by Gruba seconded by Otto to authorize the Mayor and Fire Chief to sign the mutual aid agreement. Motion carried, unanimous.

Fire Chief Pappenfus also presented information concerning a program that the State of Minnesota is in the process of building an interoperable 800 MHZ radio system. The Central MN Region has been selected as an area for this build out. The City of Foley can become a member and have the opportunity to share in a grant opportunity to have access to the 800 MHZ radio system.

Motion by Nadeau seconded by Gruba to authorize the City Administrator to submit a letter that the City of Foley will become a participating member of the Central Minnesota Radio Project. Motion carried, unanimous.

Motion by Otto seconded by Gruba to change the location of the City Council meeting scheduled for June 21, 2005, from the Council Chamber to the Foley Public Library. The change is due to activities scheduled for the Council Chamber for Foley Fun Days. Motion carried, unanimous.

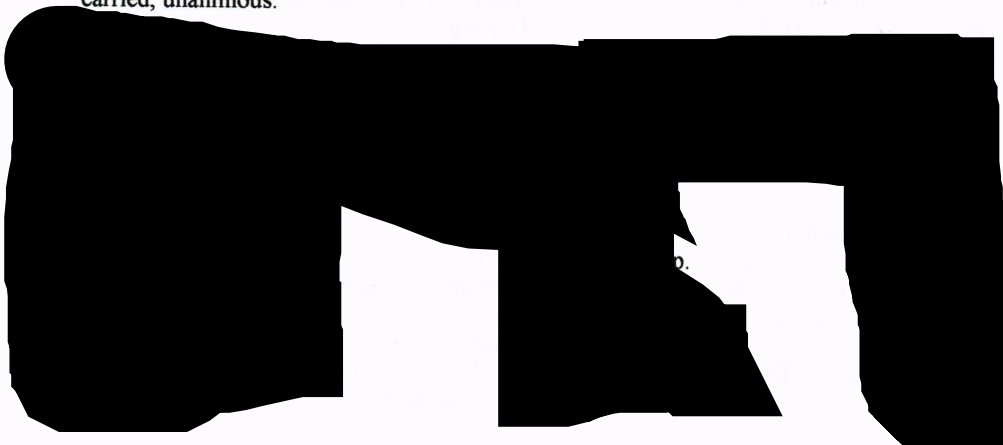
Motion by Otto seconded by Gruba to approve a lot split, for the City of Foley, to allow for the sale of a portion of lots 5 & 6, block 2, Foley Industrial Park. Motion carried, unanimous.

Motion by Gruba seconded Otto to adopt Resolution 2005-13, authorizing the City to convey real property. The property is located at Lot 1, Block 1, Foley Industrial Park Two and will be conveyed to Falcon's Nest, LLC. Motion carried, unanimous.

The City Administrator informed the Council that the City has received a donation from the Evelyn Moshier family to be used toward the purchase of trees. The Council thanked the family for the generous donation.

Motion by Otto seconded by Nadeau to adopt Resolution 2005-14, authorizing the City to accept the donation of the Evelyn Moshier family. Motion carried, unanimous.

Motion by Gruba seconded by Nadeau to approve payment of the following bills. Motion carried, unanimous.



TO: FOLEY CITY COUNCIL
FROM: SARAH BRUNN, CITY ADMINISTRATOR
SUBJECT: 04-21-26 –COUNCIL MEETING
DATE: APRIL 16, 2026

Consent Agenda

I'm requesting approval of the hiring of Pool Manager Brittany Mellgren and also an assistant pool manager. At the time of this memo I have not confirmed if the assistant pool manager wishes to accept the position so I have not listed her name and will update you if I hear back.

Alley Vacation – Benton County Existing Gov't Center

Benton County is working on their transition plan for when the new government center is completed. One option is to sell the existing annex building which would require a subdivision from the old original courthouse. When reviewing this option, we discovered the alley in between (where they are connected) – which had been vacated many years ago – does not have recorded documents indicating so. This public hearing and resolution should clear that up and allow the request for the parcels to be subdivided.

South Fairway Estates - Rezoning

After a public hearing, the council should address the rezoning of the newly created, South Fairway Estates to residential from agricultural. The plat is still in progress for recording and the rezoning would be amended following the completion of that action.

2026 Lead Service Line Bids

The bids for the lead service will be presented by the City Engineer. As a reminder, the majority of these costs are covered by grant funds from the state.

South Fairway Construction Services

The City Engineer will also present an agreement for South Fairway Estate construction services. This is for the on-site inspection services as improvements are being installed.

Dombrovski Tank/Expansion Request

I am aware that councilmembers have been contacted by the owner of Dombrovski Meats related to their request to install a large nitrogen tank to add in a new product line and expand their business operations. Currently city code does not allow for this because they are operating in the central business (B-1) downtown area as a legal non-conforming. Because of the complexities of the zoning code and state law that applies here I have asked that the city attorney attend our meeting. He will be providing some additional background on the laws and then can answer questions. Here are some items I have asked him to be prepared for:

- What is a legal non-conforming?
- What does it mean to expand a legal non-conforming? If this expansion is allowed what does that mean for other requests for legal non-conforming uses to be expanded?
- Why can't we do a CUP or variance request for this? What is the role of state statutes in this type of request?
- What would happen if the city were to re-zone this to industrial? Pros/Cons/Risks?
- How can they be rezoned with zero lot lines and not provide any on-site parking or would we need to require that? Where will we park additional employee vehicles?

- We need clarification on the volume of the additional production. What does that mean for current traffic? Semis now are blocking the road with such a tight loading dock– will the amount of semi's increase and cause further congestion? Broadway is a county state aid roadway – does the county need to weigh in on this?
- Where exactly is this tank being proposed?

I also want to remind the council that Dombrovski's made a request to expand their business in 2005 and it did not move forward. I've included some info in the packet. This included a request for the city to close John Street and allow them to build onto the street. Part of the process involved the county turning back the roadway to the City - which was finalized even though the expansion didn't happen. The City also paid to acquire the property that the current city parking lot is on for this proposal. Support was mixed with the 2005 request - there were concerns with parking, traffic and the impact to the downtown area. There were complexities with the street being closed down related to utilities and traffic. The proposal also indicated that Dombrovski would acquire property nearby for parking – I do not believe that happened since the expansion did not happen.

Request to adjust City Hall hours to close at 1:30pm on Fridays

I have had on-going discussions with the personnel committee regarding the issues with staff not being able to take time off because of the demands of projects and trying to maintain open hours. This has caused comp and vacation banks to grow extremely large. As of today, with 11 employees we have a comp and vacation balance of 2,649 hours (this does not include sick leave). That's an average of over 30 days per employee – much higher than I have ever seen – and it continues to grow. It's also important to note that with the new earned sick and safe laws, temporary/seasonal employees are also earning time off – and when they do take that time some of these responsibilities can shift to other employees to cover, including full-time employees.

The first priority is to consider staffing levels at the police and public works department – which the council has indicated they will look at with the next budget cycle. City Hall will not be requesting an additional staff member, but are in the process of back filling a position that opened up when someone left earlier this year. City Hall requests instead that the council consider adjusting our open hours to allow us to close at 1:30pm on Fridays. This would allow our front counter staff to use additional vacation/comp time – or at least have a short period of time without phone calls and walk-ins so they can get caught up on other work. All employees are still required to work their 40 hours or take vacation/comp. If approved, we request this starts on May 1st.

I did do some research and the following nearby cities have an early close time on Fridays:

- Milaca DMV – Closes @ noon on Fridays
- Milca City Hall – Closes @ 1:30pm on Fridays
- Becker City Hall – Closes @ 1:30pm on Fridays
- Rockford City Hall – Closes @ 11:00am on Fridays
- Richmond City Hall – Closes @ 2:00pm on Fridays
- St. Augusta City Hall – Closes @ 11am on Fridays