

LILYDALE CITY COUNCIL MEETING

January 14, 2013

Present – Mayor Anita Pampusch; Council Members Robert Bullard and Marilyn Lundberg. Michael O’Brien, City Civil Attorney; Tom Lehmann, City Criminal Attorney; David Neameyer, Building Official; Mike Aschenbrener, Chief of Police; Mary Schultz, City Clerk; and Lois Owen, Assistant. (Absent – Council Members John Diehl and Warren Peterson)

Others Present – Roxanne Sands and Jim Maher, City Planning Commissioners

The City Council meeting was called to order at 4:31 p.m. by Mayor Pampusch. The Pledge of Allegiance was recited. The Oath of Office was given for those newly elected except for Warren Peterson who was absent and will be sworn in at the next Council meeting. Mayor Pampusch and Councilmember Lundberg were sworn in by Attorney O’Brien and documents were notarized for each.

Agenda – There was one addition to the agenda – the annual resolution about statutory tort limits. Mayor Pampusch also congratulated Clerk Schultz on earning the designation of Minnesota Certified Municipal Clerk by completing the Municipal Clerk training. **Motion by Councilmember Bullard, seconded by Councilmember Lundberg to approve the agenda as amended. Passed 3 – 0.**

Minutes

Motion by Councilmember Lundberg, seconded by Councilmember Bullard to approve the December 10, 2012 Council Minutes. Passed 3 – 0.

Motion by Councilmember Lundberg, seconded by Councilmember Bullard to approve the December 19, 2012 Special City Council Minutes. Passed 3 – 0.

Clerk Schultz said that Councilmember Diehl called just before today’s meeting started and wanted to change the wording in the paragraph on Bank Qualified Tax Exempt Bonds in the December 10, 2012 Council Minutes. Since it was unclear what Councilmember Diehl intended, Council said they would wait until the next Council meeting to go over the wording he had suggested.

City Civil Attorney Report – Attorney O’Brien distributed updated pages for the code book regarding the sale of intoxicating liquors and the building code.

Criminal Attorney Report – Attorney Lehmann said he has concluded the Sunfish Cellars liquor compliance check matter. Last Fall, Sunfish Cellars had challenged whether the compliance check had been done correctly, but ultimately the employee pleaded guilty to a misdemeanor of serving liquor to a minor.

Building Official Report - David Neameyer said that it was a pretty average month and things are starting to slow down. There probably won’t be any inspections for the Villas Apartment Building for 30 to 45 days while they complete the foundation and put the concrete planking on for the garage.

Police Report - Chief Aschenbrener said he has a new Compliance Officer. Also, his office is compiling statistics for the past year and he will have a report for Lilydale soon. He said it has

been a quiet month. There are openings for the Citizens Training Program for the Police Academy which both Councilmember Bullard and Diehl have completed. The time commitment is 4 hours a week for 10 weeks.

Liability Coverage Waiver Form on Statutory Tort Limits– Mayor Pampusch said it has been recommended to us by our attorney, that we not waive the monetary limits on municipal tort liability which is the same action we have taken in the last several years. **Motion by Councilmember Bullard, seconded by Councilmember Lundberg to so move that we not waive. Passed 3 – 0.**

Resolution 13-01 – Annual Designations – Mayor Pampusch reported that Virginia Simek from Stonebridge is going to serve as the NDC4 Citizen Representative. It was also brought up that Tom Lehmann’s firm’s name should be changed to Eckberg-Lammers Attorneys at Law. **Motion by Councilmember Lundberg, seconded by Mayor Pampusch to approve Resolution No. 13-01. Passed 3 – 0.**

Resolution 13-02 – Pay Increase for Lois Owen to \$13.50/hr - **Motion by Councilmember Bullard, seconded by Councilmember Lundberg to approve the pay increase. Bullard noted the increase is well deserved. Passed 3 - 0.**

Sign Permit – Awaken Community – Clerk Schultz reviewed the Awaken Community sign permit application and stated it meets the code requirements. She did, however, want to bring up to the Council that according to city code a sign must be lit by an internal fixture unless an alternate method is approved by the zoning administrator or city council. Awaken’s sign will not be lit internally, but rather lights would be mounted on the building to shine down on the sign, which is similar to several other businesses in the River Bluffs Mall. **Motion by Councilmember Lundberg, seconded by Councilmember Bullard to approve the sign for Awaken Community Church that has been presented. Passed 3 – 0.**

Pubic Hearing - Proposed Project & Issuance of Private Activity Bonds – Calvin Christian School of Minneapolis Project - Mayor Pampusch opened the Public Hearing. Mayor Pampusch said that at the last Council meeting we were reassured by our financial consultant that issuing these bonds was an acceptable practice. She opened the floor to comments from the public. There being no comments, the Public Hearing was adjourned.

Contract with Fryberger, Buchanan, Smith & Frederick, PA – **Motion by Mayor Pampusch, seconded by Councilmember Bullard that we accept this contract. Attorney O’Brien has reviewed the contract and sees no problem with it. Passed 3 – 0.**

City Hall Debt Payoff Options – Clerk Schultz presented a letter from David Drown showing three options for paying off the debt for the city hall building. The options are to (1) keep the current payment schedule, (2) do a partial call annually, or (3) refinance. After some discussion it was felt that the City would possibly like to pay down the debt on city hall sooner because there is extra money in the reserve fund. However, it was agreed that the full Council should be present to act on this and discuss it further, so it should be taken up at a later Council meeting. In the meantime, Clerk Schultz will put together an analysis of what the minimum amount is that we need to maintain in our general fund and look at the average of our expenses for the last two

years. She reminded the Council that we will also be receiving the last of our 2012 tax payments and some money from the Calvin Christian School and Visitation bonds that can be factored in.

Clerk's Report

-December Financial Reports – Motion by Councilmember Bullard, seconded by Councilmember Lundberg to approve the December Financial Reports. Passed 3 – 0.

-Renewal of Business Licenses – Clerk Schultz presented a list of businesses that have returned their applications along with the required worker's compensation and liability insurance documents, and payment. She said we have received about half of them back. A reminder letter will be mailed to those businesses that have not turned in their forms. Motion by Councilmember Lundberg, seconded by Councilmember Bullard to approve the business licenses contingent on them completing the requirements. Passed 3 – 0.

Mayor's Report

-Great River Greening Contract – Mayor Pampusch reviewed that at the December 10, 2012 Council meeting, the Council approved \$2,000 for services from Great River Greening for the bluff. The proposed contract outlines these services. Motion by Councilmember Lundberg, seconded by Councilmember Bullard to approve the written contract with Great River Greening. Passed 3 – 0.

There being no further business the meeting was adjourned at 5:36 p.m.

Respectfully submitted,

Mary Schultz, City Clerk

Final copy reviewed by:

Anita Pampusch, Mayor