

**LILYDALE CITY COUNCIL MEETING**  
**March 10, 2014**

**Present:** Mayor Anita Pampusch; Councilmembers John Diehl, Marilyn Lundberg and Warren Peterson; Tom Lehmann, City Criminal Attorney; Mike Aschenbrener, Mendota Heights Police Department; Mary Schultz, City Clerk and Administrative Assistant, KimberLee West.

**Also Present:** Jeff Weiss, Barr Engineering; Mark Babcock, Babcock and Langbein Certified Public Accountants; Jim Maher, Planning Commissioner; Jon Solberg, MnDOT; Kathy Bellew and Dick Henke, Lexington Riverside residents.

**Absent:** Councilmember Bob Bullard; Mike O'Brien, City Civil Attorney and David Neameyer, Building Official.

The City Council Meeting was called to order at 4:32 p.m. by Mayor Pampusch. The Pledge of Allegiance was recited.

**Agenda - Motion by Councilmember Diehl, seconded by Councilmember Lundberg to approve the agenda as revised with the addition of 9a. Jon Solberg of MnDOT. Passed 3-0.**

Councilmember Warren Peterson arrived.

**Minutes - Motion by Councilmember Lundberg, seconded by Councilmember Diehl to approve the February 10, 2014 City Council Minutes. Passed 4-0.**

**City Civil Attorney** – No report.

**City Criminal Attorney** – No report.

**Building Official Report** – No report.

**Police Report** – No report.

**2013 Audit** – Mark Babcock of Babcock and Langbein CPA presented the audited financial statements for the year ending December 31, 2013. No items of concern were noted. Babcock noted the fine job Clerk Schultz is doing with the city's financial records. **Motion by Councilmember Peterson, seconded by Councilmember Lundberg to accept and submit the report to the State of Minnesota. Passed 4-0.**

**Engineer Report** - Jon Solberg stated MnDOT will be providing the city with a memorandum of understanding (MOU) for the TH13 project. The MOU will outline the responsibilities of the city of Lilydale and MnDOT. MnDOT will be responsible for the base drainage project that picks up the storm water for TH13 and the City will be responsible for the design and construction of a drop shaft and bringing the connection to the right of way. The City will also be responsible for additional costs beyond the MnDOT base drainage project, which would include things like additional excavation, the increase in pipe sizes, etc. Solberg stated separating the two main elements will allow MnDOT to proceed with the base project, which is scheduled to be let in December 2014, regardless of design and construction of the drop shaft. A MnDOT project management team meeting is scheduled for March 12, 2014. Jeff Weiss will be a participant in this and future team meetings.

Jeff Weiss stated he has been in contact with representatives from Union Pacific Railroad (UP) regarding increased drainage to culverts on railroad property as a result of the drop shaft. Weiss asked UP to provide comments on the project, but no deadline was given. Weiss noted UP is having difficulty

understanding the project location, and therefore, he would like to accompany a UP representative to the site.

Councilmember Peterson asked where increased drainage is coming from. Weiss explained that the two western culverts by Lexington Riverside would be diverted to the west. Weiss stated he will start on the design of the drop shaft before the next city council meeting.

Weiss informed the council that Lexington Riverside has been working to resolve a water issue. There is a pool of water between Lexington Riverside and Riverain, which is coming from increased flow from a spring. Weiss said that the increased flow is likely caused by fracturing of the bedrock during construction. Weiss said there are two options for dealing with the water. One is to install a pipe to drain water over the bluff and the other is to put in an open channel. Weiss noted his preference is for a channel. Weiss' concern is that the project follow Lilydale's Water Resource Management policy that states no new top of the bluff discharge points are allowed. Weiss told the council that the project won't change the drainage pattern but it does add an 18 inch pipe that will direct water over the bluff. Councilmember Diehl said the pipe will capture more water and increase velocity. Diehl added policy speaks for itself.

Kathy Bellew and Dick Henke said Lexington Riverside has been working with Loucks Associates for over a year to come up with a plan to resolve the water issue. Henke stated Loucks designed the project in consultation with Jeff Weiss and MnDOT. Henke noted Lexington Riverside considered a channel, but felt it would be unsightly and result in ground maintenance issues. Lexington Riverside has awarded a bid for installation of an 18 inch pipe to the top of the bluff. They recently submitted a permit request to MnDOT to discharge water on state property. MnDOT has 30 days to respond. Henke requested the city expedite their decision so the project can move forward.

Mayor Pampusch asked Jeff Weiss to prepare a memo on the matter and include his recommendations. If necessary, Mayor Pampusch said the council can call a special meeting before the next regular city council meeting.

**Clerk's Report** – Clerk Schultz presented the council with the February financial reports. **Motion by Councilmember Diehl, seconded by Councilmember Peterson to approve the financial reports. Passed 4-0.**

Clerk Schultz presented three accounting items for action.

The City Hall Fund currently has a negative balance of approximately 12,800.00. The auditor recommends a one-time transfer from the General Fund to the City Hall Fund to bring the fund to a positive balance. **Motion by Councilmember Peterson, seconded by Councilmember Diehl to approve the transfer of \$12,800.00 from the General Fund to the City Hall Debt Service Fund. Passed 4-0.**

TIF proceeds in the amount of \$207.80 need to be moved from the General Fund to the TIF Fund. **Motion by Councilmember Peterson, seconded by Councilmember Lundberg to approve the transfer of \$207.80 from the General Fund to the TIF 2011A Fund. Passed 4-0.**

The City of Lilydale is returning the balance remaining in the Advanced Cost Agreement Fund to Lilydale Apartments, LLC and Lilydale Senior Living, LLC. **Motion by Councilmember Peterson, seconded by Councilmember Diehl to approve the disbursement of the balance of the Advanced Costs Fund equally to Lilydale Apartments, LLC and Lilydale Senior Living, LLC. Passed 4-0.**

**Mayor's Report** – Mayor Pampusch said that a meeting was held with Great River Greening to talk about bluff vegetation. The total cost of the Great River Greening bluff project is \$60,000.00. Mayor

Pampusch said she will be submitting a grant application for \$30,000.00 in matching funds. **Motion by Councilmember Diehl, seconded by Councilmember Lundberg to ratify the grant application. Passed 4-0.**

There being no further business, the meeting was adjourned at 6:16 p.m.

Respectfully submitted:

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Mary Schultz, City Clerk

Final copy reviewed by:

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Anita Pampusch, Mayor