

## LILYDALE CITY COUNCIL MEETING

March 12, 2012

**Present** – Mayor Anita Pampusch; Council Members Warren Peterson, Marilyn Lundberg, Robert Bullard, and John Diehl; Chief Mike Aschenbrener; Building Inspector David Neameyer, and Clerk Mary Schultz. **Others Present** – Lance Lemieux, Southview Communities, Inc., and Jim Maher, Lilydale Planning Commission.

The City Council Meeting was called to order at 4:34 PM by Mayor Pampusch. The Pledge of Allegiance was recited.

**Agenda** – There were several changes to the Agenda: 1) Removal of item #11, Resolution Appointing Marilyn Lundberg to the LMRWMO. This is a mayor appointed position; therefore, Mayor Pampusch will announce Councilmember Lundberg's appointment and the Council will be requested to ratify the action. 2) Transfer of Apartment Project will follow the audit report to accommodate Lance Lemieux's schedule. 3) In the absence of attorneys O'Brien and Lehmann, there will be no city attorney report.

**Motion made by Councilmember Peterson, seconded by Councilmember Lundberg to approve the Agenda as amended. Passed 4-0.** (Councilmember Diehl was not present.)

**Minutes** – **Motion by Councilmember Lundberg, seconded by Councilmember Peterson to approve the February 13, 2012 meeting minutes. Passed 4-0.** (Councilmember Diehl was not present.)

**Building Official Report** – David Neameyer reported three remodeling projects have been permitted, and the roof trusses will start to be installed on the Senior Living building this week.

**Chief of Police Report** – Chief Aschenbrener stated he has been reviewing the Best Practices policies. Chet's Liquor has signed up for Best Practices training, a condition set by the city in dealing with a violation in December of 2011.

Councilmember Diehl arrived at 4:38 PM.

**2011 Audit** – Mark Babcock of Babcock, Langbein and Company presented a draft of the City of Lilydale financial statements and supplemental information for the year ended December 31, 2011. Mr. Babcock stated there were no discrepancies, concerns, or difficulties noted and the city's financial records appear to be in order. Following some discussion, Mr. Babcock brought the following items to the council's attention. 1) Two transfers are needed to close out the old TIF funds from the General funds. 2) Reduce the number of checking accounts to one and investments as the City Council directs. 3) Change the bookkeeping system from Quickbooks to CTAS (State Auditor's software). 4) Evaluate backup system for the computer and consider internet based backup system. **Motion by Councilmember Peterson, seconded by Councilmember Bullard to transfer \$1,500 from the General fund to the prior Project fund and \$4,714 to close the prior Debt Service fund report. Passed 5-0.**

**Motion by Councilmember Peterson, seconded by Councilmember Bullard to accept the audit report. Passed 5-0.** Mr. Babcock will file the approved financial statements with the State Auditor's office on behalf of the City by March 31, 2012.

**Transfer of Apartment Project** – Resolution 12-05 was presented to the City Council for the sale and assignment of Lot 2, Block 1, Riverfront View Addition by Lilydale Apartments, LLC to Lilydale Senior Living, LLC. **Motion by Councilmember Peterson, seconded by Councilmember Bullard to approve Resolution 12-05 Consenting to Sale and Assignment of Property. Passed 5-0.**

There was discussion of the existing billboard located on the property and a desire by many present to have it removed at some point in the future. Lance Lemieux stated John Wall has an easement agreement for the billboard which is currently under a long-term lease.

Mr. Lemieux intends to purchase the parcel (Lot 2, Block 1 located next to his Lilydale Senior Living building currently under construction), and build a structure with the same footprint, height, and setbacks as the originally approved luxury apartments. He provided a layout of the two buildings that would be on the site and described the overall look of the campus. The proposed building would have 47 units and 45 parking stalls. The rental units would be at market rate with an age restriction of 55 and older. All of the units would be independent living; however, some services and amenities such as housekeeping and meals may be available from the assisted living facility. There would be no changes to the sewer or water from the original plan. Mr. Lemieux will submit a new concept plan to the City in the near future.

**Resolution 12-04 Adopting the Dakota County All Hazard Mitigation Plan** – Councilmember Lundberg questioned the estimated cost of \$400,000 for Adoption of a Stormwater Management Plan listed on page 222 of the All Hazard Mitigation Plan. Clerk Schultz will seek clarification on the cost. **Motion by Councilmember Peterson, seconded by Councilmember Bullard to approve Resolution 12-04 and to get clarification on the cost in question. Passed 5-0.**

**Appointment of Marilyn Lundberg to the LMRWMO** – Mayor Pampusch announced Councilmember Marilyn Lundberg’s appointment to the LMRWMO. Councilmember Lundberg will replace the city administrator as the designee. **Motion by Councilmember Diehl, seconded by Councilmember Peterson to ratify the Mayor’s appointment of Councilmember Lundberg to the LMRWMO. Motion passed 5-0.**

#### **Clerk’s Report – Mary Schultz**

**Financial Report** – Clerk Schultz presented a list of receipts and disbursements for February and current account balances. Clerk Schultz provided the Council with a breakdown of the TIF 1-2 bond proceeds, fund requirements, and payment schedule. Councilmember Bullard requested Clerk Schultz to find out the amount of outstanding delinquent city tax. **Motion by Councilmember Peterson, seconded by Councilmember Diehl to approve the Financial Reports. Motion passed 5-0.**

**Census Boundary Change Submitted** – Boundary and Annexation Survey (BAS) maps from the US Census Bureau has the City of Lilydale’s west boundary line crossing well into Mendota (where the Lilydale population sign is currently located.) City planner Ciara Schlicting had confirmed the correct location and Clerk Schultz then made the correction to the map and submitted it to the Census Bureau.

**Lilydaze Festival Update** – Mayor Pampusch reported the second meeting for Lilydaze planning will be held this week. The River Bluffs Center will be the likely venue, and the event will start earlier in the day so people know to come for lunch. She will keep the Council posted on the plans.

**Meeting with Colony Townhouse Association Representatives** – Mayor Pampusch reported on a meeting held March 9, 2012, with representatives from the Colony Townhouse Association, (Mr. and Mrs. Ron Buelow, Kaye Frye, and their attorney Rolfe Worden), at their request, to address bluff erosion along their property. Representatives in attendance from the city included Mayor Pampusch, city engineer Jeff Weiss, planning commissioner Jim Maher, councilmember Bullard, city attorney Tom Lehmann, and Clerk Schultz.

Mayor Pampusch noted the City has a long history of assisting Colony with the bluff erosion issue and in the past the city engineer completed a study on the area. Mayor Pampusch noted Colony’s two main

issues involve the safety of trail users below the bluff and danger to the town homes on the bluff. Colony had an engineering study completed by Braun Intertec in 2010 which concluded that the Colony property is stable but the issue of safety for pedestrians on the trail should be addressed. Bluff stabilization measures are estimated to cost as much as one million dollars. Colony representatives suggested the City join with them to pursue a course of action such as initiating legislation and to consider special assessment to all city properties to finance stabilization costs.

Councilmember Lundberg acknowledged an element of danger may be present and expressed concern with boulders falling at various places along the pedestrian trail. She suggested the City assist Colony by hosting an informational meeting with stakeholders such as MnDOT, Dakota County Parks & Trails, MN DNR, etc. to facilitate discussion of the situation.

**Adjournment - There being no further business, there was a motion by Councilmember Peterson, seconded by Councilmember Diehl to adjourn the meeting. Passed 5-0.** The meeting adjourned at 6:00 PM.

Respectfully submitted:

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Mary Schultz, City Clerk/Administrator

Final copy reviewed by:

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Mayor Anita Pampusch

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Date