

**Lilydale City Council Meeting  
June 8, 2015**

**Present** – Mayor Anita Pampusch; Council Members Bob Bullard, Marilyn Lundberg and Warren Peterson; Mike O’Brien, City Civil Attorney; Mary Schultz, City Clerk and Kathy Mutch, Administrative Assistant

**Also Present** – Jim Maher, Lilydale Planning Commission; Jeff Weiss, Barr Engineering; Steve Fenlon, MHC; and Police Chief Mike Aschenbrener

**Absent** – Tom Lehmann, City Criminal Attorney and Councilmember John Diehl

The City Council Meeting was called to order at 4:30 p.m. by Mayor Pampusch. The Pledge of Allegiance was recited.

**Agenda** – Motion by Councilmember Bullard, seconded by Councilmember Lundberg to approve the Agenda. Motion carried 4-0.

**Public Hearing** – The annual public hearing on review of the storm water pollution prevention program was held. No questions or comments were made and the Public Hearing concluded at 4:35 p.m. The City Council meeting reconvened.

**Minutes** – Motion by Councilmember Peterson, seconded by Councilmember Lundberg to approve the May 11, 2015 City Council Meeting Minutes with a revision to include “Kathy Mutch, administrative assistant” in attendance. Motion carried 4-0.

**City Civil Attorney** – No report.

**City Criminal Attorney** – No report.

**Building Official Report** – In Mike Andrejka’s absence, City Clerk Schultz reported five permits were issued and three permits were closed in May.

**Police Report** – Chief Aschenbrener reported on a triathlon event held on June 6 and its impact on local businesses due to road blockage on Highway 13. The USA Triathlon’s duathlon was granted a permit by MnDOT and the event was coordinated with St. Paul. Local businesses were to be notified of the event. Several business owners reported they did not receive notice. Aschenbrener will follow up on St Paul’s permit requirements and has asked to be included in the after-action review by the city of St Paul.

**Minnehaha Academy** – Steve Fenlon, of MHC and representing Minnehaha Academy, requested support from the council in issuing bonds for a project for the benefit of Minnehaha Academy in the principal amount not to exceed \$6,750,000. Its purpose is educational and the city is not liable for payment. A public hearing is required and will be held at the July meeting.

**Motion by Councilmember Peterson and seconded by Councilmember Lundberg to approve the Resolution Calling for a Public Hearing on a Project by Minnehaha Academy under Minnesota Statutes, Chapter 469. Motion carried 4-0.**

**Engineer Report** – Jeff Weiss, Barr Engineering, reported full approval of the TH13/drop shaft plans by MnDOT has not been received. This delays the timeline previously outlined to the council. Weiss is hopeful approval will be received prior to the July meeting. Following approval the project’s schedule will be revised. Bids cannot be sought until after final approval.

Weiss reported Dakota County’s share of the cost of the TH13/drop shaft project will be about five percent and Dakota County is in agreement with the framework and its share of costs.

**Sewer & Storm Water Utility Rate Study** – Three proposals were submitted regarding a storm drainage rate study. The study would assess the current rate methodology and provide recommendations or alternatives. The need for a study and the components of each proposal were discussed.

**Motion by Councilmember Lundberg and seconded by Councilmember Bullard to accept the Storm Drainage Rate Study proposal by Stantec, for a lump sum fee of \$2,500. Motion carried 4-0.**

**Resolution 15-07 – Reimbursement Bond Regulations** – This resolution declares a reimbursement intent for previously paid Trunk Highway 13 and Drop Shaft project expenditures out of the proceeds of bonds subsequently issued following Internal Revenue Service regulations.

**Motion by Councilmember Bullard and seconded by Councilmember Peterson to approve Resolution 15-07 Establishing Procedures Relating to Compliance with Reimbursement Bond Regulations Under the Internal Revenue Code & Declaring Official Intent to Reimburse Certain Public Improvement Costs. Motion carried 4-0.**

**Clerk’s Report** – Clerk Schultz presented the council with the May financial reports. **Motion by Councilmember Peterson, seconded by Councilmember Bullard to approve the financial reports. Motion carried 4-0.**

**Mayor’s Report** – No report.

**Closed Meeting** – Mayor Pampusch closed the meeting at 6:27 p.m. pursuant to MN Stat. 13D.05 Subd. 3 to discuss a sewer service billing issue.

**Open Meeting** – Moved by Mayor Pampusch and seconded by Councilmember Peterson to open the meeting at 6: 35 p.m.

Mayor Pampusch reported a closed session was held to discuss a sewer billing issue. Councilmembers reached consensus on how to proceed following review and advice from legal counsel.

**Moved by Councilmember Peterson and seconded by Councilmember Lundberg to reimburse Holiday Station for sewer charges for the last six years at \$420/year; total amount of \$2,520. This amount will be paid from the sanitary sewer fund. Motion carried 4-0.**

Legal counsel advised reimbursement could not be given for more than six years due to statute of limitations.

There being no further business, the meeting adjourned at 6:38 p.m.

Respectfully submitted:

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Mary Schultz, City Clerk

Final copy reviewed by:

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Anita Pampusch, Mayor