

LILYDALE CITY COUNCIL MEETING
February 12, 2024

Present: Councilmembers Deborah Cornell, Lyle Hanzal, Mary Kleinberg and Bill Kleinman; Mary Schultz, City Administrator

Absent: Mayor John Diehl

Also Present: Kori Land, LeVander, Gillen & Miller; Bryan Oakley, Barr Engineering via phone; Dan Burns, Taft Law; Christopher Bineham, Playwrights' Center; Julie Seykora and Orlando Ponce

Approval of Agenda: Moved by Councilmember Kleinberg and seconded by Councilmember Hanzal to approve the agenda. Motion carried 4-0.

January 8, 2024 City Council Meeting Minutes – Moved by Councilmember Cornell and seconded by Councilmember Kleinberg to approve the January 8, 2024 City Council meeting minutes. Motion carried 4-0.

Public Comments – none

Public Hearing on the Issuance of a 501(c)(3) Facilities Revenue Note, Series 2024A - Dan Burns of Taft Law provided information on financing for a project on behalf of Playwrights' Center. Christopher Bineham, Advancement Director at Playwrights' Center shared information about their organization and programs.

Acting Mayor Kleinman opened the public hearing and asked for public comments. No public comments were made and the public hearing closed at 4:43 p.m.

Resolution 2024-04 – Relating to the Financing for a Project on Behalf of Playwrights' Center, Inc., Authorizing the Issuance and Sale of the City of Lilydale's 501(c)(3) Facilities Revenue Note (Playwrights' Center Project), Series 2024, and Authorizing Execution and Delivery of Various Related Documents. **Moved by Councilmember Hanzal and seconded by Councilmember Kleinberg to approve Resolution 2024-04. Motion carried 4-0.**

Open Items – City Administrator Schultz reported she attended a meeting with a resident and a representative of the Metropolitan Airports Commission (MAC) to discuss the resident's concern with airport noise. The City could request the MSP Noise Oversight Committee to have MAC install mobile monitoring devices to measure noise levels.

Building Official Report – Five permits were issued and seven closed in the month of January.

Police Report – City Administrator Schultz reported there were 78 incidents and two fire calls in the month of January. Councilmember Cornell requested that the Mendota Heights Police Department send a representative to attend the Lilydale city council meetings in Captain Wegener's absence.

Engineer's Report – Bryan Oakley provided an update on the lift station grinder project. Four contractors were invited to provide quotes, and all four submitted quotes. Bids ranged from \$121,040 to \$154,838. He noted the lead time for the grinder is significantly longer than expected due to longer times for manufacturer's shop drawings and equipment, so contractors were requested to provide the time they expected to achieve substantial completion. Oakley recommended awarding the contract for construction of the grinder project to Minger Construction as they provided the second lowest competitive quote and the

quickest substantial completion. **Motion by Councilmember Cornell and seconded by Councilmember Kleinberg to award the lift station modification project to Minger Construction, including execution of the Notice of Award, and authorization to execute the Form of Agreement once all documentation from the contractor is reviewed. Motion passed 4-0.**

City Attorney's Report – In follow-up to an inquiry at the January 2024 council meeting regarding sale of the city's undeveloped lot, Attorney Land stated the City does have an Economic Development Authority with the authority to sell property for economic development and housing. The city council requested that Attorney Land bring back more information to the March meeting.

City Administrator's Report – The financial reports for January were presented. **Moved by Councilmember Hanzal and seconded by Councilmember Kleinberg to approve the January 2024 financial reports. Motion carried 4-0.**

Request to Attend Conference - **Moved by Councilmember Hanzal and seconded by Councilmember Cornell to allow the city administrator to attend the Minnesota City/County Management Association Annual Conference May 1-3, 2024. Motion carried 4-0.**

Cascade Condominiums – City Administrator Schultz shared a status update on the condominium portion of the redevelopment project at the former River Bluffs Center site. In an email to Schultz, Adam Neumann of Bigos Management stated that the condominium building isn't economically feasible to build right now based on current economic conditions. Bigos is pivoting to add about 20-30 surface parking stalls to the area instead of the condo building and adding green space between the parking area and Highway 13. Bigos will have drawings prepared for submission to the City.

Legal Services Review Committee Update – Councilmember Hanzal reported requests for proposals were sent to four firms, and three returned proposals. Following a review of all proposals and interviews with representatives of two firms, the committee recommends the City continue to use Kori Land and LeVander, Gillen & Miller as their civil attorney.

Agreement for Storage of Records - **Motion by Councilmember Hanzal and seconded by Councilmember Cornell to approve the Lease Agreement Between the City of Lilydale and the City of Sunfish Lake for Record Storage. Motion carried 4-0.**

Liability Coverage Waiver - **Motion by Councilmember Hanzal and seconded by Councilmember Kleinberg to not waive the statutory tort liability limits to the extent of the coverage purchased. Motion carried 4-0.**

Resolution 2024-05 Appointing Election Judges – **Motion by Councilmember Hanzal and seconded by Councilmember Cornell to approve Resolution 2024-05 Appointing Election Judges for the 2024 Presidential Nomination Primary. Motion carried 4-0.**

Financing of Lift Station Modification Project – The council discussed financing the lift station modification project and reviewed budgets for the sanitary sewer and storm sewer funds. The city's financial consultant Shannon Sweeney reviewed the city's financial statements and budgets and recommended that the city use cash from the enterprise funds to pay for the project. He also suggested modifying the utility rates to generate a surplus to rebuild cash balances.

Council Comments

Councilmember Hanzal requested that the Mendota Heights Police Department present the extreme risk protection order law information.

Councilmember Cornell noted she attended a NDC4 meeting and learned that one of the executive director's projects is to apply for a 2025 Minnesota Legacy Grant with the City of Lilydale for the history of Lower Lilydale.

It was noted that a Lilydale citizen representative is needed to fill a vacancy on the NDC4 board.

Councilmember Kleinberg noted that April 22, 2024, is Earth Day, and she is willing to organize a spring cleanup event.

Mayor's Report – none

Adjournment – The meeting adjourned at 6:08 p.m.

Respectfully submitted:

Mary Schultz, City Clerk