

**LILYDALE CITY COUNCIL MEETING**  
**March 11, 2019**

**Present** – Mayor Warren Peterson; Council Members John Diehl, Lyle Hanzal, William Kleinman and Anita Pampusch; Mary Schultz, City Clerk and Kathy Mutch, administrative assistant.

**Also Present** – Police Captain Wayne Wegener; Bridget McCauley Nason of LeVander, Gillen & Miller P.A.; Chris Lewis, Markwell & Lewis; Elyse Less of Minnesota Tobacco-Free Alliance, Faina Kanivetsky and Reuben Vizelman, Lilydale residents.

The city council meeting was called to order at 4:30 p.m. by Mayor Peterson. The Pledge of Allegiance was recited.

**Agenda** – Moved by Councilmember Pampusch and seconded by Councilmember Kleinman to approve the agenda with the addition of Resolution 19-5, approval of a summary publication. Motion carried 4-0.

**Public Comments** – None.

**City Council Minutes** - Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to approve the February 11, 2019 City Council Minutes. Motion carried 4-0.

Councilmember Diehl arrived at 4:39 p.m.

**Civil Attorney Report** – Bridget McCauley Nason provided an update on her research regarding various regulations of the Mississippi River Critical Corridor and the National Park as requested by council at the February meeting. She anticipates her work to be compiled within the next two weeks; in time for discussion at the April council meeting.

**Building Official Report** – No report.

**Police Report** – Captain Wegener reported body-worn cameras have been implemented. He explained when cameras are activated and when cameras are turned off. Officers are guided by a policy. Councilmember Hanzal asked to see the policy regarding body-worn cameras. Wegener also noted a new community service officer (“CSO”) started work.

**Report on 2040 Comprehensive Plan** – Councilmember Diehl reported the Planning Commission met and reviewed comments received from the Metropolitan Council and the Minnesota Department of Natural Resources. City Planner Phil Carlson and Mary Schultz are sorting out which are ministerial and which require assistance from consultants.

**2018 Financial Audit** – Chris Lewis presented a draft 2018 financial audit for the year ended December 31, 2018. Lewis reviewed the financial statements highlighting a positive cash balance and asked for comments. He requested the draft be approved. The documents will be updated with minor corrections and submitted to the state of Minnesota. Moved by Councilmember Pampusch and second by Councilmember Hanzal to approve the draft 2018 Financial Audit as presented. Motion carried 5-0.

**Tobacco Ordinance** – A draft ordinance was presented that mirrored the ordinance recently enacted by the City of Mendota Heights. The proposed ordinance updates Lilydale’s tobacco ordinance to conform with state law and best practices, and would raise the tobacco sales age from 18 to 21 and restrict the sale of all flavored tobacco products, including menthol, in Lilydale retail establishments. An extensive discussion followed.

Faina Kanivetsky and Reuben Vizelman, Lilydale residents, shared their support of the draft ordinance and encouraged council members to raise the tobacco sales age from 18 to 21 and restrict the sale of all flavored tobacco products, including menthol.

McCauley Nason noted there is a 30-day notice requirement for vendors when a city is considering adopting or amending a retail tobacco licensing ordinance and a state 10-day notice requirement for proposed ordinances to be posted on the city’s website or sent to listserv subscribers at least 10 days prior to the city council vote.

Councilmember Diehl suggested staff prepare a draft ordinance that incorporated changes proposed for further discussion at the April 8 meeting and consistent with the Mendota Heights ordinance. Council concurred.

**Beyond the Yellow Ribbon** - West St. Paul Beyond the Yellow Ribbon committee has invited the cities of Lilydale, Mendota Heights and Mendota to a meeting on the possibility of merging to one organization covering multiple cities. The organization creates awareness for the purpose of connecting service members and their families with community support, resources and training. Mary Schultz will attend the April 16 meeting, and report back to the council with more information on the program.

**Resolution 19-4** – Joe and Linda Schaefer donated a bell of historic significance to the city along with \$2,636.46 in funds to be used specifically for the erection of a stand or monument to display the bell and acknowledgement of this donation.

**Moved by Councilmember Diehl and seconded by Councilmember Kleinman to approve Resolution 2019-4, authorizing and accepting the donation of the historic bell and funds in the amount of \$2,636.46 to be used for the erection of a stand or monument to display the bell and acknowledge the donation from Joe and Linda Schaefer Motion carried 5-0.**

**Resolution 19-5** – Clerk Schultz explained Ordinance 18-01 was adopted by the council in April 2018 but had not been published. The ordinance can be published in full or the council can adopt Resolution 19-5 to approve publishing a summary. A summary publication requires a four-fifths vote by councilmembers.

**Moved by Councilmember Diehl and seconded by Councilmember Pampusch to adopt Resolution No. 19-5, approving summary publication of Ordinance 2018-01 amending Chapter IX. Building and Land Use regulations, amending Section 904.03 to add design standards in the R2: multifamily residence district, amending Section 904.05 to add additional design standards in the B-1: general business district, and amending Section 904.07 to add clarity to the requirements of a Planned Unit District. Motion carried 5-0.**

**Clerk's Report** – Clerk Schultz reviewed the February 2019 deposits and disbursements. **Moved by Councilmember Hanzal and seconded by Councilmember Diehl to approve the February financial reports. Motion carried 5-0.**

**Adjournment** –There being no further business, Mayor Peterson adjourned the meeting at 6: 47 p.m.

Respectfully submitted:

Final copy reviewed by:

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Mary Schultz, City Clerk

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Warren Peterson, Mayor

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Date