

LILYDALE CITY COUNCIL MEETING

June 10, 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 –Mike O’Brien, attorney; Mike Andrejka, building official; Police Captain Wayne Wegener; Elyse Less, Minnesota Tobacco-Free Alliance; Chris Stark, City of St Paul Parks & Recreation; Virginia Tisdale Miller, resident, Duff Miller, resident and Lucille Collins, resident.

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 Diehl and seconded by Councilmember Hanzal to approve the agenda. Motion carried 5-0.

City Council Minutes – Councilmember Diehl suggested the vote on Ordinance 2019-01 be moved to follow his withdrawn amendment. Moved by Councilmember Diehl and seconded by Councilmember Hanzal to approve the May 13, 2019 City Council Minutes as amended. Motion carried 5-0.

Public Hearing – Storm Water Pollution Prevention Program – Jeff Weiss explained this is an annual hearing for the city’s MS4 permit (Municipal Separate Storm Sewer System). Lilydale discharges stormwater to public waters and is required to have a permit from the MPCA. The program has components for cities to monitor for pollution, inspect stormwater ponds and require best practices at construction sites. The city has completed a pre-application for a new permit. A new application is expected to be available later this year and there will be opportunities for input on the city’s stormwater management.

Mayor Peterson opened the hearing to the public for comments.

Duff Miller, Riverrain resident, asked who is responsible for monitoring construction site runoff and, also, who monitors the monitor. Jeff Weiss, city engineer, indicated he was not sure that a double check was in place; however the MPCA may be notified.

Jeff Weiss explained two storm sewers discharge through tunnels under the railroad and then into the Mississippi. Councilmember Diehl asked who inspects stormwater discharge. Weiss stated in the past the city has had Mendota Heights inspect to look for any obvious signs of illicit discharge. He noted none has been found.

No other comments were made.

Moved by Councilmember Diehl and seconded by Councilmember Kleinman to close the public hearing. Motion carried 5-0.

Public Hearing – Concept Plan for Planned Unit Development at 797-871 Sibley Memorial Hwy. Mayor Peterson explained tonight’s public hearing on the concept plan for Planned Unit Development

at 797-871 Sibley Memorial Highway was postponed until June 25 at 4:30 p.m. At the May 22, 2019 planning commission's public hearing the commissioners asked Opus to revise the concept plan to address issues of height, front setback, bluff setbacks and other issues. The June 25 date is dependent on the Planning Commission taking action and forwarding a recommendation to the City Council prior to that meeting date. The Planning Commission's next meeting is set for June 12 at 3:00 p.m.

Building Official Report - Mike Andrejka, building official, reported eight permits were issued and eight closed in May.

Police Report – Captain Wegener reported Mendota Heights is in the process of filling an officer vacancy and Wegener expects the position to be filled within the next 1-1/2 to 2 months.

Attorney Report – No report.

Engineer Report – The annual MS4 report will be forwarded to the city council when completed.

Conditional Use Permit - The Planning Commission considered the request by the City of St. Paul for a conditional use permit to construct a new open-air picnic shelter in Lilydale Regional Park in the section north of Pickerel Lake. The Planning Commission voted unanimously to recommend approval of the conditional use permit as submitted, with the following Findings of Fact:

- (1) The Lilydale Regional Park is an important community asset and improving its facilities is in the public interest and in line with Lilydale's support of the park.
- (2) The proposed park pavilion is a modest, attractive structure that will serve visitors to the park, its design and location are appropriate for the park setting.
- (3) The proposed park pavilion is not expected to negatively impact health, safety, morals, or welfare – quite the opposite, it will provide for improved functioning of the park to serve visitors who come to enjoy nature and the outdoors.
- (4) The proposed park pavilion is not expected to impact surrounding land, traffic, streets, property values, or scenic views.

Moved by Councilmember Diehl and seconded by Councilmember Hanzal to approve the Conditional Use Permit for a picnic shelter in Lilydale Regional Park as recommended by the Planning Commission. Motion carried 5-0.

Summary of Ordinance 2019-01 (Tobacco) - Mike O'Brien, attorney, stated that the council can pass a resolution to publish a summary of Ordinance 2019-01 rather than publish the whole ordinance. The summary restates the purpose of the ordinance and summarizes the regulatory requirements. Through a resolution the City Council is acknowledging the summary is sufficient to advise the public as to the essence of the ordinance.

Mary Schultz, city administrator, suggested 30-60 days' time between approval of the summary and its publication to notify the affected business owners of the amended ordinance, manage inventory and train employees. Councilmember Hanzal stated support for the 60-day notification time.

Moved by Councilmember Diehl and seconded by Councilmember Kleinman to approve publication of Summary of Ordinance 2019-01, Amending Chapter 5 of the City Code Related

to Tobacco, and to publish Summary of Ordinance 2019-01, 60 days from approval. Motion carried 5-0.

Beyond the Yellow Ribbon – A representative is needed to serve as an active member of the Beyond the Yellow Ribbon Steering Committee. Councilmember Diehl proposed posting notice in an upcoming Lilydale newsletter seeking residents interested in representing the city in this position.

Moved by Councilmember Diehl and seconded by Councilmember Kleinman to appoint Mary Schultz, city administrator to attend the Beyond the Yellow Ribbon Steering Committee meetings in the interim. Motion carried 5-0.

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

Public Comments – Duff Miller, resident, addressed the council on a few issues, and acknowledged he attended tonight's meeting because he believed the proposed development was on the agenda.

Miller commented on an airport parking sign. The sign is located on the St. Paul side and out of Lilydale City Council's jurisdiction. Miller said the sign is an eyesore and he asked the council to send a letter to St. Paul and ask if the sign is compliant with its city's permit. Mayor Peterson noted the council would take his request under consideration.

Mr. Miller questioned the tobacco ordinance. Mayor Peterson explained the changes to the tobacco ordinance, prohibiting the sale of tobacco products to persons under 21. Miller indicated his support of the ordinance and would support a 30 days rather than 60 days notification timeline.

Lucille Collins, Lilydale resident, asked if the council was aware of very loud racing boats on the river between 11 p.m. to 4 a.m. from the Watergate Marina. She has called the Mendota Heights police who suggested she call St. Paul Police and she has. Councilmember Kleinman suggested she could also contact the Ramsey County Water Patrol.

Mayor's Report – Mayor Peterson explained there is only one "No Bicycles" sign on the Mary June Mullarky Pedestrian Trail. He proposed directing the clerk to order three additional signs, comparable to the one already posted, and strategically place them along Mullarky Trail to clearly indicate no bicycles are permitted on the walking path.

Moved by Councilmember Diehl and seconded by Councilmember Kleinman to direct the clerk to order three additional "No Bicycle" signs, comparable to the signs already posted and strategically place them along the Mary June Mullarky Pedestrian Trail. Motion carried 5-0.

Mayor Peterson stated the Metropolitan Council has estimated the population in Lilydale at 873. City administrator Mary Schultz will respond to Met Council with the population estimates included in the 2040 City of Lilydale Comprehensive Plan.

Adjournment – Moved by Councilmember Diehl and seconded by Councilmember Kleinman to adjourn. Motion carried 5-0. There being no further business, Mayor Peterson adjourned the meeting at 5:35 p.m.

Respectfully submitted:

Final copy reviewed by:

Mary Schultz, City Clerk

Warren Peterson, Mayor

Date