

LILYDALE CITY COUNCIL MEETING
July 11, 2022

Present - Mayor Warren Peterson and Councilmembers John Diehl, Lyle Hanzal and Bill Kleinman; Mary Schultz, City Clerk and Kathy Mutch, administrative assistant.

Also Present – Bridget Nason, attorney; Police Captain Wayne Wegener; Jennifer Koehler, Barr Engineering; Mike Andrejka, building official and Deborah Cornell, council member candidate

Agenda – Mayor Peterson asked to revise the order of the agenda to move resolutions to 5.1 and 5.2 and Pool & Yacht Club to 5.3. **Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to approve the agenda, as revised. Motion carried 4-0.**

Public Comments – None.

June 13, 2022 City Council Meeting Minutes – Mayor Peterson asked for rewording of the partial sentence on page 2, “Early site work, demo work from the July meeting through August”. Councilmember Diehl suggested the incomplete sentence be deleted and the final sentence read as follows: “In the ensuing discussion it was agreed that abatement and demolition could proceed before the permits provided the developer complies with all state laws and plans and copies of all documentation are provided to the city engineer.”

Moved by Mayor Peterson and seconded by Councilmember Hanzal to approve the minutes of the June 13, 2022 City Council Meeting, as amended. Motion carried 4-0.

Resolution 2022-11 – Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to approve Resolution 2022-11 Accepting the Resignation of Councilmember Anita Pampusch and Declaring a Vacancy. Motion carried 4-0.

Resolution 2022-12 – Moved by Councilmember Hanzal and seconded by Councilmember Diehl to approve Resolution 2022-12 Appointing Deborah Cornell to Fill Council Vacancy. Motion carried 4-0.

Attorney Nason administered the Oath of Office to Deborah Cornell and Ms. Cornell was appointed to the Lilydale City Council.

Temporary On-Sale Liquor License – Maureen Gruntner, Pool & Yacht Club explained the liquor license request was for two upcoming events in July: the Classic Car Show on July 28 and Rockin’ Hollywoods on July 30.

Motion by Councilmember Hanzal, seconded by Councilmember Kleinman to approve the Application and Permit for a Temporary On-Sale Liquor License for July 28-July 31, 2022. Motion carried 5-0.

Building Official Report – Mike Andrejka issued three permits and closed six permits in June 2022.

Elevator at 1111 Sibley Memorial Highway (RiverPointe Condos) - Andrejka explained he met with Dennis Miller, RiverPointe treasurer of the HOA board of directors, about his ability to waive a fire access service requirement and his authority on elevator inspection and compliance. A State of Minnesota Elevator Inspector has issued orders to make repairs to the elevator at RiverPointe. Andrejka acknowledge he had some authority regarding the fire service access requirement. Elevator compliance is overseen by the Minnesota State Elevator Department.

Mr. Miller provided background on the elevator and the maintenance expenses. The elevator was built in 1962 and abides by the rules and regulations at that time (one spindle under the elevator). RiverPointe has conscientiously maintained the elevator; however the elevator is not in compliance with rules and regulations put in place in 2012. The cost to install a double spindle under the elevator is expensive and there are only 22 units to cover the cost. RiverPointe has been given five years to upgrade or the elevator will be shut down.

Mayor Peterson asked Mr. Miller what he was asking from the council. Miller stated a resolution of support on the issue with the elevator inspection department would be helpful. Mayor Peterson indicated the city follows state statute and does not have any authority with a statute in place.

Councilmember Diehl stated his reluctance to endorse a building that was not in compliance and encouraged Mr. Miller to do more research and come back to the council with a specific plan. Councilmember Diehl would like have more information before a vote by council. He would, at a future date, vote to give RiverPointe more time to develop the capital to finance the upgrade and asked Miller if he was aware of different funding mechanisms to help with financing the upgrade.

Police Report – Captain Wegener reported 95 incidents during the month of June, 2022 with 11 cases of theft or property damage. He mentioned a welfare check call that was actually a domestic call resulting in an arrest on Highway 13. The person arrested was not a resident of the city.

Multiple premise check calls to 1600 Lilydale Road at the Pool & Yacht Club were due to theft of construction items and catalytic converters.

Engineer Report – No report. Jennifer Koehler was meeting this week with the finance director of the Metropolitan Council Environment Services to discuss the increase in sanitary sewer fees.

Attorney's Report – Attorney Nason reported she is still aiming for adoption of the Lilydale recodification project by the end of October.

Resolution 2022-13 – Moved by Councilmember Diehl and seconded by Councilmember Hanzal to approve Resolution 2022-13 Appointing Election Judges for the 2022 Primary and General Elections. Motion carried 5-0.

Clerk's Report – Mary Schultz reported the June deposits were relatively routine. Two internal transfers were made to cover Minger Construction pay applications. The COVID funds were transferred to the sewer fund to pay for the new lift station. Disbursements were routine. Schultz pointed out payments to Minger Construction and Barr Engineering.

Mayor Peterson asked if the city was up to date on its obligations for the lift station. Ms. Schultz explained the city will be invoiced for the three remaining items and the Metropolitan Council Environment Services will be billed for its share of the expense.

Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to approve the June 2022 financial reports. Motion carried 5-0.

Mayor's Report – Mayor Peterson reported he met with Bigos to finalize TIF, its contribution to the open space obligation and an issue to extend the walkway from the end of Bigos project which they are responsible for to the west over the property owned by the Highway Department which is now a drainage ditch. Although there isn't a definitive cost Bigos will contribute \$324,000 to construct the pathway. The city will hold these funds in escrow and should the cost be less than \$324,000, Bigos will be reimbursed.

Attorney Nason asked for clarification on the process to address the amendments Bigos is asking for, including a pickleball court. Bigos would like the amendments adopted by resolution, with no notice or public hearings. Nason noted her recommendation to the council, and the process the city has followed in the past, is to handle any changes by an ordinance amendment to the PUD, reviewed by the planning commission, with notice to property owners and a public hearing. The amendment requires 10 days' notice to property owners. Nason said she would contact Phil Carlson, city planner, when he returns on July 18, to discuss the process.

Adjournment – **Moved by Councilmember Diehl and seconded by Councilmember Kleinman to adjourn. Motion carried 5-0.** The meeting adjourned at 5:42 p.m.

Respectfully submitted:

Final copy reviewed by:

Mary Schultz, City Clerk

Warren Peterson, Mayor

Date