

LILYDALE CITY COUNCIL MEETING
August 9, 2021

Present – Mayor Warren Peterson and Councilmembers Lyle Hanzal, Bill Kleinman and Anita Pampusch; Mary Schultz, City Clerk and Kathy Mutch, administrative assistant (Absent: Councilmember John Diehl)

Also Present – Bridget Nason, city attorney; Police Captain Wayne Wegener, Mendota Heights Police Department; Bryan Oakley and Jennifer Koehler, Barr Engineering; and Shannon Sweeney, David Drown Associates, Inc.

The city council meeting was called to order at 4:30 p.m.

Agenda – Moved by Councilmember Kleinman and seconded by Councilmember Hanzal to approve the agenda as presented. Motion carried 4-0.

Public Comments – No comments.

July 12, 2021 City Council Meeting Minutes – Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to approve the minutes of the July 12, 2021 city council meeting, as presented. Motion carried 4-0.

July 19, 2021 City Council Meeting Minutes – Moved by Councilmember Pampusch and seconded by Councilmember Kleinman to approve the minutes of the July 19, 2021 city council special meeting, as presented. Motion carried 4-0.

Building Official Report – Building report showed 7 permits were issued and 19 closed in July.

Police Report – Captain Wegener reported an increase in vehicle break-ins; specifically in underground garages. Officers are discussing security and locations for security cameras with property management.

Attorney Report – No report.

Lift Station Project Update - Bryan Oakley updated councilmembers on the Lilydale lift station project. All agencies have reviewed and commented on versions of the plan. The city needs a utility easement and a temporary construction easement to complete the lift station project. The property owner, Lilydale Senior Living, is willing to give the city the easements at no cost to the city. The city can accept donations of real property for the benefit of its citizens. Oakley stated Lilydale Senior Living has signed the permanent utility easement and temporary easement for construction purposes. The cooperative construction agreement with the Metropolitan Council Environmental Services (MCES) has been reviewed, revisions have been made and the agreement should be signed.

Attorney Nason acknowledged review of the easement agreement with Lilydale Senior Living. She noted item 3 of Resolution 2021-9 authorizes reimbursement by the city to Lilydale Senior Living II, LLC for legal fees and related expenses associated with the easements; a current estimation of \$5,500.

Resolution 2021-9, Approval and Acceptance of Donation of Permanent Utility Easement and Temporary Easement for Construction Purposes; Authorization for Reimbursement of Property Owner Related Expenses; and Authorization of Execution of MCES Cooperative Construction Agreement

Moved by Councilmember Hanzal and seconded by Councilmember Pampusch to approve Resolution 2021-9. Motion carried 4-0.

Resolution 2021-10, Awarding Contract for Lilydale Lift Station – Oakley stated the easements are signed and the MCES agreement is acceptable. Oakley explained the next step is to make a decision to move forward with the project, notify Minger Construction with a notice of award signed by Mayor Peterson and the city administrator, and issue a notice to proceed. A preconstruction conference will be scheduled the week of August 16, depending on availability. The contract must be sent to Minger by 11:59 p.m. tonight or Minger has the ability to withdraw its bid.

Moved by Councilmember Hanzal and seconded by Councilmember Pampusch to approve Resolution 2021-10 Awarding Contract for Lilydale Lift Station Contract to Minger Construction with a Total Bid in the Amount of \$560,294.00 and Authorizing the Mayor and City Administrator/City Clerk to Sign Said Contract. Motion carried 4-0.

Councilmember Hanzal asked if the trail would be closed during the period of construction. Oakley indicated he expects the trail to be closed during the time the construction is active, indicating the trail may not close until late September.

Resolution 2021-11, General Obligation Sewer Revenue Note – Mayor Peterson stated the project costs (engineering fees, administrative and construction costs) to finance the lift station project are \$747,984. Metropolitan Council Environmental Services has agreed to pay \$105,400. Peterson outlined funding sources for the remaining obligation of \$520,756. The city is borrowing \$363,000 at a rate of 1.8% over 15 years, a very low interest rate. Principal and interest payments of approximately \$28,000 per year begin February 2023. The first interest payment begins August 2022. Shannon Sweeney clarified a revised resolution was provided to the city administrator that included a 1% prepayment penalty provision in Section 2.02 should the note be paid off before 2027.

Moved by Councilmember Kleinman and seconded by Councilmember Pampusch to approve the Resolution Authorizing the Issuance, Sale and Delivery of a General Obligation Sewer Revenue Note. Motion carried 4-0.

Engineer Report

Pedestrian Trail Update– Jennifer Koehler reported the 106 Group submitted its archeological monitoring plan to Barr for review. The plan was then sent to MnDOT’s cultural resources unit for review and then subsequently submitted to the Office of the State Archeologist. The finalized review is expected by the end of the week. MnDOT will not issue a right-of-way permit before an approved monitoring plan. JL Theis has been updated and will begin work approximately 2-3 weeks after the plan is approved and the permit is received; late August. The project will take 2 weeks to complete.

JL Theis has not been contacted regarding “no bike” signs painted on the trail. Clerk Schultz will contact JL Theis about the signs.

Bluff Runoff Management –Jennifer Koehler reported a meeting was held on July 26 with MnDOT, Barr, Mayor Peterson and Councilmember Hanzal on stormwater outfalls at the Mississippi River Bluffs and discussion centered around an interest in reducing the rate of erosion. Barr has created a list of locations where discharges over the bluffs are problematic and the city is currently working on a stormwater ordinance. City representatives indicated they would like some definition of what types of water management approaches would be acceptable to MnDOT, noting it will be the responsibility of the private property owner to design and implement its own approach. Following the meeting MnDOT will continue discussions with staff and Koehler expects the city would hear back by the end of August. Next steps include developing educational materials for property owners and meetings with

individual property owners to identify current runoff locations and identify contributing watershed areas to each discharge point. Mary Schultz, city administrator was appointed the city's point of contact. Koehler anticipates discussions to go on through 2022 and estimated Barr's fees to complete this effort.

1143 Sibley Memorial Highway (Bruno Property) – Ms. Koehler stated the property owner had borings drilled to learn the depth to bedrock so that improvements to the plan; the pool equipment room, which was proposed to be below grade, was moved to be located at grade, could be finalized. This addressed the city's concern jack-hammering or blasting would produce vibrations strong enough to shake nearby houses and also cause some loss of rock from the bluffs behind the applicant's house. Regarding stormwater management, runoff will sheet flow to vegetated areas. The new impervious surfaces can be designed to slope mostly away from the bluff and primarily direct runoff to Highway 13. The revised plans were submitted on August 4 and will be going to the planning commission next week.

Clerk's Report – Deposits include the first half tax receipts, second quarter sewer and storm water payments and COVID funds of \$44,760. The city will receive one more COVID payment in 2022. Attorney Nason explained different guidelines and categories are still being developed on how these funds can be used. Disbursements included an interest payment on the city hall bond and a tax increment note. Schultz explained a monthly payment for internet service has been set up and will be included in the 2022 budget.

Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to approve the July financial reports as presented. Motion carried 4-0.

Adjournment – **Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to adjourn. Motion carried 4-0.** The meeting adjourned at 5:16 p.m.

Respectfully submitted:

Final copy reviewed by:

Mary Schultz, City Clerk

Warren Peterson, Mayor

Date