

LILYDALE CITY COUNCIL MEETING
October 11, 2021

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

Also Present – Bridget Nason, city attorney; Police Captain Wayne Wegener; Fire Chief Dave Dreelan; Jennifer Koehler, Barr Engineering; Mike Andrejka, building official; Maureen Gruntner, Pool & Yacht Club General Manager; and Lisa Banas, Lilydale business owner.

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

Agenda – Moved by Councilmember Pampusch and seconded by Councilmember Hanzal to approve the agenda, as presented. Motion carried 5-0.

Public Comments - No comments.

September 13, 2021 City Council Meeting Minutes – Moved by Councilmember Diehl and seconded by Councilmember Kleinman to approve the minutes of the September 13, 2021 city council meeting. Motion carried 5-0.

Building Office Report – Mike Andrejka reported seven permits were issued and one closed in September.

Fire Report – Fire Chief Dave Dreelan was in attendance to address concerns regarding the River Bluffs property. Mayor Peterson asked Chief Dreelan to comment on his view of the property and potential hazards. Dreelan explained as it sits there now the property is not a hazard; but if it starts on fire the fire department would have to fight the fire from the outside and be limited to operating defensively. The department has always had to treat the property differently since there is no access to the back side of the building. The sprinkler system is no longer operational. Highway 13 would be shut down for an extended time as the fire hydrant is located across the street on the opposite side of Highway 13. He indicated the department would not go into the interior unless the department was aware of a known rescue, a known victim in a known location.

Police Report – Captain Wegener responded to an inquiry on the number of calls to the River Bluffs property. A report from 2019 to the present showed 132 calls with 12 calls resulting in criminal cases for potential charging. Calls included suspicious activity, trespassing, dumping and littering.

Engineer Report – Jennifer Koehler provided an update on several projects:

- 1) Pedestrian trail and city parking lot. Work on the trail and parking lot was completed the week of September 27 and included paving, restoration/reseeding and stenciling “No Bikes” on the path. Final invoices have not yet been submitted to the city. Barr will review the work and follow up on why the “No Bikes” sign on the path in front of the Colony that was to be marked at the beginning of the trail was 180 ft inside.

No archeological artifacts were found during The 106 Group’s oversight of the bituminous removal.

- 2) Sanitary Sewer Inflow and Infiltration/Water Main Leak – The city was notified that starting in late September 2020 the sanitary sewer flow meter started recording increased daily flows. The lift station pumps are running at a similar flow rate and running more frequently. Review of the meter did not find any issues with meter calibration. The city was notified of a water main leak on a private water main near RiverPointe and the Colony townhomes. Koehler recommended checking the hourly data as soon as the repair is completed. A change in the hourly sanitary flow data from the Metropolitan Council Environmental Services would be apparent almost immediately.

If the water main repair does not reduce the flow, the next steps would be to check water use during the period in question; check the lift station pump run times; inspect all manholes located along the bluff upstream of the existing lift station; and evaluate and recommend improvements to reduce inflow/infiltration in manholes with identified problems.

- 3) Lift Station Repair – Construction will begin next spring. Some tree removal may happen this fall.
- 4) MS4 Permit and Public Hearing – A public hearing and presentation of the city’s stormwater pollution prevention plan (SWPPP) will be held at the November city council meeting. The Small Municipal Separate Storm Sewer System (MS4) general permit was issued to Lilydale effective September 28, 2021.

Attorney Report – Attorney Nason reported correspondence was sent today to the River Bluffs property owner addressing the concerns and requesting a response to Mary Schultz by October 18. At a minimum a plan to secure the building and protect against trespassing was requested. A fee schedule is being worked on and will be brought to the council before the end of the year. The city’s code book needs to be updated and reorganized. A number of services assist with amending a code book and Nason is working on receiving an updated quote to adopt basic codes and to include Lilydale’s provisions. Next year’s budget has funds designated for this project. The stormwater ordinance is on her desk.

Gambling Exempt Permit – Maureen Gruntner acknowledged Mendota Heights Athletic Association applied for a gambling exempt permit to conduct bingo and raffles at the Pool and Yacht Club November 21, 22 and 23, 2021.

Moved by Councilmember Pampusch and seconded by Councilmember Hanzal to approve the exempt permit for the Mendota Heights Athletic Association to conduct bingo and raffles at the Pool and Yacht Club on November 21-23, 2021. Motion carried 5-0.

Clerk’s Report – Clerk Schultz stated deposits included permits and escrow for the dog park planning and zoning fees. Disbursements were routine.

Moved by Councilmember Hanzal and seconded by Councilmember Diehl to approve the September financial reports, as presented. Motion carried 5-0.

Mayor’s Report – At his quarterly meeting with the mayors from Mendota and Mendota Heights, Mayor Peterson was made aware of an open house at Two Rivers (former Sibley) High School on Saturday from 12-2. The open house will showcase improvements made to the high school as well as a popular program where students are engaged in internships. The program is very popular with students and is an alternate to attending college. He invited council members to attend.

Public Comments – Lisa Banas, business owner and Mendota Heights resident, commented on her observation of the River Bluffs property and rising activity. She feels unsafe walking or bicycling by and expressed her concern about possible homeless encampment when the weather becomes colder. She shared concern regarding increased property damage, stating the front door appears more compromised. The doors and windows need to be very secure. Banas advocated for increased monitoring by the police. Her concern has always been fire.

Captain Wegener explained officers do not have authority to enter the buildings, only the owner has that authority. He will review the last six months of police calls and refine the activity going on at that site.

A resident who lives across the street in the Summit development also stated he was very concerned and would appreciate action, fairly quickly, to protect property and health of residents.

Councilmember Diehl responded acknowledging the council shares their concerns and explained there is a potential buyer and the closing would be by the end of the year. Diehl then asked Mike Andrejka about razing the building if the purchase did not close by the end of the year.

Andrejka explained the city has no requirement for demolition nor does Dakota County have such a requirement. He has had conversations with the Minnesota Pollution Control Agency and explained demolition requires two forms; intent to demo and hazardous materials. If asbestos is found it would need to be addressed prior to demolition and the Department of Health would be notified. Andrejka believes there is asbestos that will need to be removed since asbestos wasn't prohibited in construction until the 1970's. He cautioned asbestos is a serious problem to remove and explained it needs to be kept wet; therefore, he doesn't know how it could be removed in winter.

Adjournment – Moved by Councilmember Hanzal and seconded by Councilmember Kleinman to adjourn. Motion carried 5-0. The meeting adjourned at 5:34 p.m.

Respectfully submitted: Final copy reviewed by:

Mary Schultz, City Clerk Warren Peterson, Mayor Date