

**LILYDALE CITY COUNCIL MEETING**  
**April 10, 2023**

**Present:** Mayor John Diehl and Councilmembers Deborah Cornell, Lyle Hanzal and Mary Kleinberg and Bill Kleinman; Mary Schultz, City Clerk and Kathy Mutch, administrative assistant

**Also Present:** Bridget Nason, attorney, and Police Captain Wayne Wegener

**Agenda:** A report by the engineer on a recent meeting was requested and added under the Mayor's Report. **Moved by Councilmember Hanzal and seconded by Councilmember Kleinberg to approve the agenda, as revised. Motion carried 5-0.**

**Public Comments:** None

**January 30, 2023 City Council Emergency Meeting Minutes** - Moved by Mayor Diehl and seconded by Councilmember Kleinberg to approve the minutes of the January 30, 2023 City Council Emergency Meeting as presented. Motion carried 5-0.

**March 13, 2023 City Council Meeting Minutes** – Moved by Councilmember Kleinman and seconded by Councilmember Hanzal to approve the minutes of the March 13, 2023 City Council Meeting as presented. Motion carried 5-0.

**Police Report** –Captain Wegener report in March 2023 there were 61 calls with two open cases, one medical and one theft. He proudly noted the Police Department's sworn staff is at 21 with the hiring of Officers Hunter Hubner, Donovan Barr, and Caleb Kittock. Captain continues to keep an eye on the flooding and, at this time, it is several feet below the roadway and unlike Stillwater and Hastings, is not a huge flood concern. Councilmember Kleinman added he spoke with Maureen Gruntner, Pool & Yacht, and she too is not concerned at this time.

**Attorney Report** - Bridget Nason reported on three items. 1) Her focus has been on the Bigos development and a special Planning and Council meeting/public hearing is scheduled for Monday, April 17. Materials are being prepared for the meeting including consideration for approval a modification of the plans and also a second amendment to the TIF agreement. 2) Working with the city engineer on Chapter 4, storm water ordinance. Flood prevention needs to be integrated into Chapter 4. Jennifer Koehler, city engineer, will submit the plan to the Lower Minnesota River Watershed District by April 19 and it may be on the Watershed District's May agenda and then to the city council in June. 3) Work continues on the city ordinances. Mayor Diehl inquired about the status of Chapter 9, Zoning and noted changes that were previously discussed are not reflected in a recent draft. Councilmember Hanzal also noticed some revisions were not included. Attorney Nason will check on the discussed amendments. Mayor Diehl stated the council needs this update completed as soon as possible.

**Cost Share Agreement with Dakota County** – City Clerk Schultz reported Dakota County is purchasing replacement electronic poll books for all communities in the county. Dakota County maintains and stores the poll books until elections are held. Poll books replace the paper rosters for an election. The replacement cost is shared with the county paying 50 percent.

**Moved by Councilmember Hanzal and seconded by Councilmember Cornell to approve the Cost Share Agreement Between the City of Lilydale and County of Dakota for election electronic poll books hardware and authorize the mayor and city clerk to execute the agreement by electronically signing the agreement. Motion carried 5-0.**

**Mississippi River Clean-Up Event** – Councilmember Kleinberg offered to spearhead a clean-up event in Lilydale and was looking for ideas on how to promote it. A letter promoting a clean-up event in Red Wing was shared with the council. City Clerk Schultz acknowledged a cleanup of the boat launch was held several years ago. She can contact homeowners associations through email and deliver flyers to Riverwood Apartments. Captain Wegener cautioned councilmembers on the steepness of the river bank and the current water flow of the river. No specific timeline was set.

**Moved by Councilmember Kleinberg and seconded by Councilmember Hanzal to approve the city sponsoring a spring cleanup along the Lilydale Park boat launch and the Mullarky Trail with the timing to be determined by weather. Motion carried 5-0.**

**History Project Update** – A meeting was held two weeks ago with a resident who had some information on the lower Lilydale area. More extensive interviews will be done once Dave Byrne, our local historian, returns from vacation. Vicki Albu started a Facebook page and has received some feedback. Last year approximately \$8,000 was spent on the history project to produce the Lilydale video and pay Ms. Albu for her work. The city did not receive additional funding from a Legacy grant. Clerk Schultz has spoken with one of the reviewers to learn why not and how to apply for future funding. Councilmember Kleinman inquired about possible funding within the city’s budget to cover further expenses with none budgeted in 2023.

Councilmember Cornell, in support of the project, questioned what the goal of the project was and who they were doing this for. Kleinman explained the effort was a history of Lilydale for its residents given in a short period of time.

Mayor Diehl proposed the committee develop a mission statement and a work list for the history committee and embark on ways to inform others of the video. He believes with a more complete mission statement and a work list more people may be interested.

Discussion on other committee-like functions; something with the city’s business community and organizing a residential committee through Homeowners Associations. Planning Commission member Bart Schneider, Lilywood, formed an organization of HOA’s beyond Lilydale and it was something the council might discuss. The business committee could include signs and advertising, using the history committee model and applying it to HOA and businesses.

**Clerk’s Report** – The March 2023 financial reports were presented. The deposits were mainly routine and included a tobacco violation fine and reimbursement from Met Council for its responsibility for the lift station expenses. Disbursements were routine including the annual TIF maintenance to Dakota County and an insurance premium for property, liability and auto. The premium increased significantly and in the past the city has received a yearly dividend. A payment to Taft for the TIF will be reimbursed by Bigos. Schultz questioned setting up a separate fund on the Bigos project for tracking purposes. The council agreed and acknowledged the Bluff Restoration Project and COVID accounts were no longer needed and should be removed.

**Moved by Councilmember Hanzal and seconded by Mayor Diehl to remove the Bluff Restoration Project and COVID funds and add a River Bluffs project fund for future reporting. Motion carried 5-0.**

**Moved by Councilmember Hanzal and seconded by Councilmember Cornell to approve the March 2023 financial reports as presented. Motion carried 5-0.**

**Building Permit Report** – Beginning in April the city clerk will be presenting the building permit report. Twice a year MNSpect will attend council meetings and is on call. One permit was issued for a permit for air conditioning and a property was inspected for a plumbing permit. The city does not currently have a separate budget item for building inspections for the Bigos project and Mayor Diehl asked City Clerk Schultz to consider if one should be set up.

**Mayor’s Report** - Mayor Diehl acknowledged a letter requesting the city adopt a fair housing policy statement. Fair housing is a matter of law and the city is bound by that law. His preference is for the city not to be in the habit of making political statements.

Ms. Koehler (not in attendance) sent an update on a recent meeting with Bigos, Friends of the Mississippi River and National Parks laying out the reasoning for the change in building height. Friends of the Mississippi River (FMR) rep and National Parks rep understood the situation. However, they are still concerned about the visual impact and the application of the Mississippi River Corridor Critical Area (MRCCA) rules. ESG Architecture & Design was going to compile revised visual graphics showing the various views from the river with the new/raised building height. Friends of the Mississippi River were sending a letter in opposition to the project. They had previously opposed it with the original PUD.

**Closed Meeting** – **Moved by Mayor Diehl and seconded by Councilmember Kleinman to close the meeting pursuant to Minn. Stat. §13D.05, Subd. 3(a): Employee Performance Evaluations. Motion carried 5-0. The closed meeting started at 5:46 p.m.**

Mayor Diehl opened the meeting at 6:51 p.m.

**Wages and Benefits** – Mayor Diehl reported the council discussed a salary range and job description for the city administrator/city clerk commending her leadership and contribution to the council as well as her tremendous service to the city. **Moved by Mayor Diehl and seconded by Councilmember Kleinberg to approve for the city administrator/city clerk a salary for 2023 of \$110,000 (health insurance folded in); a \$2,000 educational stipend, and annual PTO of 26 days with a maximum carryover of 5 days. Motion carried 5-0.**

**Moved by Mayor Diehl and seconded by Councilmember Kleinman to approve for the administrative assistant for 2023 an hourly rate of \$25.50. Motion carried 5-0.**

**Adjournment** – **Moved by Councilmember Kleinberg and seconded by Councilmember Kleinman to adjourn. Motion carried 5-0. The meeting adjourned at 7:03 p.m.**

Respectfully submitted:

Final copy reviewed by:

\_\_\_\_\_  
Mary Schultz, City Clerk

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John E. Diehl, Mayor

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Date