

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 1st day of March, 1978 at 7:30 o'clock p.m.

The following members were present: Mayor Peterson
Councilman Amundson
Councilman Denzer
Councilman McHattie
Councilman Hammero

And the following were absent: None.

Mayor Peterson presided at the meeting.

The minutes of the February 15, 1978 regular meeting were reviewed. There being no additions or corrections, the minutes were approved as mailed.

The minutes of the February 22, 1978 special meeting were reviewed. There being no additions or corrections, the minutes were approved as mailed.

The Clerk presented an affidavit showing publication in the official newspaper of the Notice of Hearing to be held on this date and at this time with respect to the proposed assessments for storm sewer on 80th Street South, which affidavit was examined, approved and ordered placed on file in the office of the City Clerk.

The Clerk then read aloud the Notice of Hearing.

The Mayor then opened the public hearing for consideration of any comments or objections.

The City Attorney advised the Council that the hearing being held at this time and at this place was in order and according to law.

The Clerk advised the Council as to the property owners, amount of property being assessed, and the cost for each parcel, which are as follows:

Charles Woodward - 4.5 acres - \$11,849.00
Mid America Bank - 2.5 acres - \$10,252.00
City of Cottage Grove - 6.11 acres - \$16,131.67

Mr. Donald T. Raleigh appeared before the Council representing Mr. Charles E. Woodward and objected to the assessment, based on his conclusion that the subject storm sewer assessment does not add to the market value of Mr. Woodward's property and hence, his property will receive no benefits therefrom. He also requested that the Council reconsider the proposed assessment and in making any reconsideration, that they take into account the fact that Mr. Woodward has previously paid substantial storm sewer assessments for this same property.

A letter was also received from Mr. Raleigh which was ordered to be made a part of these minutes.

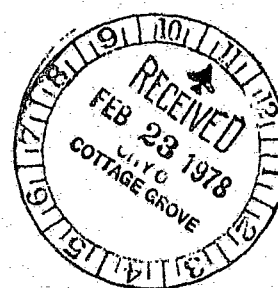
There being no further comments or objections, motion that the levying of the proposed assessments be tabled for thirty days and that the Attorney and Clerk are hereby authorized and directed to negotiate with Mr. Woodward and his Attorney on an equitable assessment cost, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

RODERICK A. LAWSON
DONALD T. RALEIGH
RAYMOND O. MARSHALL

LAWSON, RALEIGH & MARSHALL, P. A.
LAWYERS
3825 LAKE ELMO AVENUE NORTH
LAKE ELMO, MINNESOTA 55042
(612) 777-6960

REUBEN G. THOREN 1912-1967
MILTON LINDBLOOM 1925-1936
CHESTER S. WILSON 1915-1977

February 20, 1978



City of Cottage Grove
7516 80th Street South
Cottage Grove, Mn 55016

Re: Charles E. Woodward - 7420 80th Street South, Cottage Grove, Mn

Gentlemen:

We are the attorneys for Mr. Woodward. Mr. Woodward has received notice of an assessment hearing to be held March 1, 1978. The purpose of the hearing is as we understand it is to consider assessing Mr. Woodward's property at the above address for "benefit" to his property resulting from the storm sewer assessment described in the notice.

We are further informed that the proposed assessment to Mr. Woodward's property is in excess of \$11,000.00.

The purpose of this letter is to notify you of Mr. Woodward's objection to that assessment and, at the same time, to provide a written record of that objection. Mr. Woodward's objection is based on his conclusion that the subject storm sewer assessment does not add to the market value of his property and, hence, his property will receive no benefit therefrom.

We are accordingly requesting that you reconsider the proposed assessment. In making your reconsideration, please also take into account the fact that Mr. Woodward has previously paid substantial storm sewer assessments for this same property.

Yours truly,

Donald T. Raleigh
Donald T. Raleigh

DTR: rh

The Council considered the resolution received from the City of Oakdale regarding their opposition to the proposed legislation to expand the Washington County Board of Commissioners from five to seven members. The Mayor advised the Council that he had talked to one of the authors of the bill and was told that this legislation was being withdrawn. The Mayor also stated that he would keep the Council advised if anything further happened.

Motion that the application of the Cottage Grove Community Club for a Dance Permit for March 17, 1978 at the Cottage Grove Community Club be approved, made by Councilman Amundson. Seconded by Councilman McHattie. Carried viva voce.

Motion that the Council accept the resignation of Mr. Frank Urban as Civil Defense Director for the City, with regret, and that a letter of appreciation be sent to him, made by Councilman McHattie. Seconded by Councilman Hammero. Carried viva voce.

Motion that the Annual Civil Defense Report for the year of 1977 be accepted and ordered placed on file in the office of the City Clerk, made by Councilman Amundson. Seconded by Councilman McHattie. Carried viva voce.

The Council considered the resolution ordering the improvement and preparation of plans for improvements in the Woodridge Addition and adjacent area.

It was requested by the Clerk Administrator that the Council reconsider the alignment of Hillside Trail in the proposed addition before ordering the plans and specifications.

Motion that a special meeting be held on March 22, 1978 at 7:30 p.m. to reconsider the approval of the final plat of Woodridge Addition, specifically the alignment of Hillside Trail, and that the Clerk is hereby directed to notify the affected property owners of said meeting; and also to supply the Council with any pertinent information regarding this matter, made by Councilman Hammero. Seconded by Councilman Denzer. Motion carried 4 ayes, 1 nay. Councilman Amundson voting nay.

Councilman Amundson introduced the following resolution and moved for its adoption:

RESOLUTION NO. 78-21

A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENTS FOR
HIGHLANDS 2ND ADDITION

WHEREAS, by resolution passed by the City Council on November 30, 1977, the City Clerk was directed to prepare a proposed assessment of the cost of making water main, sanitary sewer, storm sewer, and house service improvements in the Highlands 2nd Addition, and

WHEREAS, the Clerk has notified the Council that such proposed assessment has been completed and filed in his office for public inspection, now

THEREFORE, BE IT RESOLVED, by the Council of the City of Cottage Grove, County of Washington, State of Minnesota:

1. A hearing shall be held on the 5th day of April, 1978 at 7:30 p.m. to pass upon such proposed assessments and at such time and place, all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessments.

2. The City Clerk is hereby directed to cause a Notice of Hearing on the proposed assessments to be published once in the official newspaper at least two weeks prior to the hearing and he shall state in the notice, the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll. The Notice of Hearing shall be as follows:

NOTICE OF HEARING ON PROPOSED
ASSESSMENTS FOR THE COST OF WATER
MAIN, SANITARY SEWER, STORM SEWER
AND HOUSE SERVICE IMPROVEMENTS IN
THE HIGHLANDS 2ND ADDITION.

TO WHOM IT MAY CONCERN:

Notice is hereby given, that the Cottage Grove City Council will meet at 7:30 p.m. on the 5th day of April, 1978 at the City Hall, 7516 80th Street South in the City of Cottage Grove to pass upon the proposed assessments for the cost of water main, sanitary sewer, storm sewer and house service improvements in the Highlands 2nd Addition.

It is proposed to assess all of the lots and parcels benefited by said improvement which include: The Highlands 2nd Addition.

The total cost of the improvement is \$480,866.05.

The proposed assessment roll is on file for public inspection at my office. Written or oral objections will be considered at the hearing.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City of Cottage Grove within 20 days after the adoption of the assessment and thereafter, filing such notice with the Clerk of District Court within ten days after service upon the Mayor or Clerk.

BY ORDER OF THE CITY COUNCIL

s/Carl F. Meissner
City Clerk

Passed this 1st day of March, 1978.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman McHattie. Upon vote being taken thereon, the following voted in favor thereof: Councilman Amundson, Councilman McHattie, Councilman Denzer, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

The Council reviewed the Public Safety Commission Minutes of February 15, 1978.

Motion that the Council authorize the Department of Public Works to install two 15 Miles Per Hour warning speed signs; one on northbound Lamar Avenue South south of the 90° turn and one on southbound Lamar Avenue South north of the 90° turn, as recommended by the Public Safety Commission, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Motion that the Council reaffirm Resolution No. 77-38, adopted on March 16, 1977, supporting the 911 Emergency Telephone System, made by Councilman Hammero. Seconded

by Councilman Denzer. Carried 4 ayes, 1 nay. Councilman Amundson voting nay.

Councilman Amundson introduced the following ordinance and moved for its adoption:

ORDINANCE NO. 279

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE AMENDING
THE CITY CODE BY ADDING A PROVISION RELATING TO
EVACUATION OF BUILDINGS IN THE EVENT OF FIRE ALARMS
AND ADOPTING THE AMENDED UNIFORM FIRE CODE

The City Council of the City of Cottage Grove, Washington County, Minnesota,
does ordain as follows:

SECTION 1. Amendment. "The Code of the City of Cottage Grove, Minnesota," shall
be amended by amending "Chapter 12, Article I, Section 12-1", to read as follows:

Sec. 12-1. Duty to report fires and evacuate buildings.

(a) It shall be the duty of any person in control of a church, school, multiple dwelling, place of business or any place of public assembly, or any person under such person charged with responsibility for the same, or any other person who observes the same, to immediately report smoke or other evidence of fire in such church, school, multiple dwelling, place of business or any place of public assembly, to the fire department within the city charged with the responsibility for control of fires in the area where such building is located. It shall be the duty of any occupant of any single-family residence to immediately report to the fire department within the city charged with responsibility of control of fires within the area where such residence is located any fire which endangers persons or property.

(b) Whenever a fire alarm sounds in any church, school, multiple dwelling, place of business or place of public assembly, every occupant of such building shall immediately vacate the premises. Failure or refusal to vacate such building when a fire alarm sounds will constitute a misdemeanor."

SECTION 2. Amendment. "The Code of the City of Cottage Grove, Minnesota," shall
be amended by amending "Chapter 12, Article II, Section 12-3" to read as follows:

Section 12-3. Adoption. The State Uniform Fire Code with amendments filed with the Minnesota Secretary of State on October 3, 1975, one copy of each of which has been marked as the official copy and which is on file in the Office of the City Clerk, is hereby adopted as the Fire Code for the City for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, except such portions as are modified or amended by other sections of this article and except FireMar 45 (a) of the October 3, 1975 amendments. Every provision contained in such code as amended on October 3, 1975 except as modified or amended by this article, is hereby adopted and made a part of this article as if fully set forth herein.

SECTION 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 1st day of March, 1978.

The motion for the adoption of the foregoing ordinance was duly seconded by

Councilman Denzer. Upon vote being taken thereon, the following voted in favor thereof: Councilman Amundson, Councilman Denzer, Councilman McHattie, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said ordinance was duly declared passed.

The Council reviewed the proposed ordinance establishing permit procedures and fees for certain kinds of businesses, as recommended by the Fire Department. The Mayor directed that the proposed ordinance be sent to the Attorney for review and final drafting.

Motion that the Council accept the recommendation of the Public Safety Commission and authorize the installation of two large school warning signs to be placed close to the curve on Hadley Avenue South north of 90th Street South and also on Hadley Avenue South beyond the southern boundary of Pinehill School, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Councilman McHattie introduced the following resolution and moved for its adoption:

RESOLUTION NO. 78-22

RESOLUTION REQUESTING SPEED ZONE SURVEY AND REGULATORY SIGN
SURVEY ON HADLEY AVENUE SOUTH FROM 87TH STREET SOUTH SOUTH
TO 100TH STREET SOUTH

WHEREAS, the City Council has received a petition from concerned parents of children walking to the Pinehill Elementary School located on Hadley Avenue South, and

WHEREAS, it is the recommendation of the Public Safety Commission that a speed zone survey be made, now

THEREFORE, BE IT RESOLVED, by the Council of the City of Cottage Grove, County of Washington, State of Minnesota, that it hereby requests the Minnesota Department of Transportation to make a traffic survey to determine the safe speed and the installation of any regulatory signs on the following City street: Hadley Avenue South from 87th Street South south to 100th Street South, and

BE IT FURTHER RESOLVED, that consideration be given to the installation of 20 Miles Per Hour speed zone signs in the vicinity of the school, as provided by law, and

BE IT FURTHER RESOLVED, that upon determination of a safe speed on this street, the City of Cottage Grove be authorized by the Department of Transportation to post such speed limit and other regulatory signs as recommended.

Passed this 1st day of March, 1978.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman Amundson. Upon vote being taken thereon, the following voted in favor thereof: Councilman McHattie, Councilman Amundson, Councilman Hammero, Councilman Denzer and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Councilman Denzer introduced the following resolution and moved for its adoption:

RESOLUTION NO. 78-_____

RESOLUTION AUTHORIZING INSTALLATION OF 20 MILES PER HOUR SPEED LIMIT SIGNS ON HADLEY AVENUE SOUTH, ADJACENT TO PINEHILL SCHOOL.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman Amundson. Upon vote being taken thereon, the following voted in favor thereof: Councilman Denzer. The following voted against the same: Councilman Amundson, Councilman McHattie, Councilman Hammero, and Mayor Peterson. Whereupon said resolution failed.

Councilman Amundson introduced the following ordinance and moved for its adoption:

ORDINANCE NO. 280

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, AMENDING THE CITY CODE BY ADDING A SUBDIVISION TO CHAPTER 4

The City Council of the City of Cottage Grove, Washington County, Minnesota, does ordain as follows:

SECTION 1. AMENDMENT. "The Code of the City of Cottage Grove, Minnesota," shall be amended by adding Section 4-25, which reads as follows:

Section 4-25. Domesticated Wild Animals, License, Fees, Issuance, Certification to Accompany Application, Charge for Recapture.

Subd. 1. No person shall keep or allow to be kept as a pet, any animal which is normally considered to be a wild animal, unless a license therefor has first been secured, except for rabbits, gerbils and hamsters. Licenses shall be issued annually by the Clerk for a fee of \$5.00 for each animal. Every application for a license shall be accompanied by a certificate from a licensed veterinarian showing that the animal has been given a vaccination against rabies, unless the veterinarian certifies that vaccination is impossible or harmful to the animal.

Subd. 2. In the event City personnel are required to assist in capturing an animal, as defined in Subdivision 1, which escapes or is allowed to run at large, the City shall charge the owner for all costs incurred and collect such costs by civil means if not paid.

SECTION 2. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication according to law.

Passed this 1st day of March, 1978.

The motion for the adoption of the foregoing ordinance was duly seconded by Councilman Hammero. Upon vote being taken thereon, the following voted in favor thereof: Councilman Amundson, Councilman Hammero, Councilman Denzer, Councilman McHattie, and Mayor Peterson. The following voted against the same: None. Whereupon said ordinance was duly declared passed.

The Council reviewed the proposed ordinance regulating hazardous waste, as prepared by the Planner and Attorney.

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Motion that the Council refer the proposed ordinance amending the Zoning Ordinance to provide performance standards for the storage or disposal of solid, liquid, and chemical wastes to the Planning Commission and that said Planning Commission hold a public hearing on the proposed ordinance, made by Councilman Denzer, Seconded by Councilman Hammero. Carried viva voce.

The Council was made aware of the Gavel Club Meeting which will be held on Saturday, March 4, 1978 at the City Hall at 8:30 a.m.

Motion that the Council designate Mayor Peterson as the City's representative on the Gavel Club, made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

Motion that a letter be sent to Russell Sparks, inviting him to attend the next meeting of the Human Services Commission as a prospective member, made by Councilman Hammero. Seconded by Councilman Denzer. Carried viva voce.

Motion that the bills as presented be allowed, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

The Clerk advised the Council as to the cost for preparing and mailing the Council minutes.

Motion that the Council approve a policy whereby a person may subscribe to the Council minutes at an annual fee of \$24.00, which fee will be prorated at \$2.00 per month on the initial subscription, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Motion that the meeting be adjourned, made by Councilman Denzer. Seconded by Councilman McHattie. Carried viva voce.

Meeting adjourned at 9:50 p.m.

Respectfully submitted,

Carl F. Meissner

Carl F. Meissner
Clerk Administrator

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 9 - 1978
John Anderson Brown
Secretary of State

31338