

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 5th day of July, 1978 at 7:30 o'clock p.m.

The following members were present: Mayor Peterson  
Councilman McHattie  
Councilman Amundson  
Councilman Hammero  
Councilman Denzer (arrived at 7:34 p.m.)

And the following were absent: None

Mayor Peterson presided at the meeting.

The minutes of the May 31, 1978 special meeting were reviewed. There being no additions or corrections, the minutes were approved as mailed.

The minutes of the June 21, 1978 regular meeting were reviewed. There being no additions or corrections, the minutes were approved as mailed.

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

RESOLUTION NO. 78-73

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL  
AGENDA OF JULY 5, 1978

ORDINANCE NO. 285 - AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA, AMENDING THE CITY CODE CHAPTER 28 RELATING TO ZONING, RESOLUTION NO. 78-74, RESOLUTION GRANTING MINOR SUBDIVISION TO ROSE OF SHARON LUTHERAN CHURCH, RESOLUTION NO. 78-75 RESOLUTION GRANTING CONDITIONAL USE PERMIT FOR PYLON SIGN FOR SMALL ENGINE REPAIR, RESOLUTION NO. 78-76 RESOLUTION GRANTING MINOR SUBDIVISION TO SUPERAMERICA, RESOLUTION NO. 78-77 RESOLUTION GRANTING CONDITIONAL USE PERMIT FOR MOTOR FUEL STATION TO SUPERAMERICA.

Passed this 5th day of July, 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 Hammero and Mayor Peterson. The following voted against the same: none. Whereupon said resolution was duly declared passed and adopted.

Councilman Denzer arrived at 7:34 p.m.

Motion that the application of White Way Cleaners for a Solicitors License and Gutz's Firewood for a Solicitors License be approved, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

The Clerk presented an affidavit showing the publication in the official newspaper of the Notice of Hearing to be held on this date and at this time with respect to the application of the Cottage Grove Jaycees for the issuance of a Temporary "On Sale" Non-Intoxicating Malt Liquor License for that property commonly known as the East Cottage Grove Ballfields on July 22nd and 23rd, 1978, 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 Public Hearing.

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The Mayor then opened the public hearing for consideration of any comments or objections. There being no comments or objections, motion that the application of the Cottage Grove Jaycees for a Temporary "On Sale" Non-Intoxicating Malt Liquor License for the East Cottage Grove Ballfields on July 22nd and 23rd, 1978, be approved, made by Councilman McHattie. Seconded by Councilman Denzer. Carried 4 aye, 1 nay. Councilman Amundson voting nay.

At the request of Mayor Peterson, Mr. Orrin Thompson was in attendance to answer questions from homeowners living in the Highlands 1st Addition regarding drainage, excavation and the poor overall workmanship of the construction of their homes. Mr. Thompson promised that the grading of the lots in the 1st Addition would be completed within two weeks, if there was no rain. He also stated that he would see to it that his people would complete any work that is not done and fix any deficiencies in the construction of any home.

Mr. Charles Bracci appeared before the Council representing the Pine Tree Pond First Association and presented a petition and claims from homeowners in the Pine Tree Pond Townhouse Addition. The petition was accepted and ordered placed on file in the office of the City Clerk.

Motion that the Council authorize staff to study the feasibility of constructing a berm to divert the water away from the townhouses, that the engineer check the design of the storm sewer system, that the Director of Public Works check the existing system, that the Administrator submit all claims received to the cities insurance company and that he also check the cost of having another engineering firm check the storm sewer system, made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

Mr. David Greavu spokesperson for the concerned citizens of Highlands 1st Addition, appeared before the Council.

Motion that the City Engineer review the drainage place for Highlands 1st Addition and also the problem of storm water draining from North of 65th Street South into the Highlands 1st Addition and a report submitted to the Council made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Mr. Robert Carter and Jerry Corson appeared before the Council regarding the storm water system North of 70th Street South and particularly to check and stop the storm water runoff from flowing across 70th Street South. They also presented a petition to the Council requesting an impartial engineering study of storm water drainage system in the Highlands Addition and Summer Hills First Addition.

Motion that the engineer be directed to prepare a recommendation as to how to contain the water North of 70th Street South. Also, if the City can lower the pond South of 70th Street South and that the Council accept the petition and order it placed on file in the office of the City Clerk, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

The Mayor directed that a report be prepared by the engineer and public works director regarding the drainage on Indian Boulevard and submit to the Council.

Mr. David Mikel and Farouk M. Sos appeared before the Council concerning the damage to their property due to the excessive rainfall. The Council was advised that these claims were forwarded to the cities insurance company. The Council also explained to the claimants the procedure to follow in getting their property cleaned up.

The Council directed the City Engineer and Director of Public Works to make a written report as to what the City would have to do to eliminate the problem of the soil eroding from the top of the hill in back of the homes on Foothill Road and the homes on the east side of Innsdale and then flowing southerly to Hillside Trail. The Council also directed the City Attorney to look into the liability of the contractor putting in well #8, for not having the site properly graded and landscaped. City staff was also directed to furnish Mr. Mikel with a pump and a hose so that he can pump his pool and fill it at the same time to see if he can get rid of some of the mud in the pool.

Sherrill Sparks gave an oral report to the Council regarding the Senior Citizen Program she has conducted for the City. This program will end on July 15, 1978. The Council thanked her for the excellent work she did in conducting this program.

The Council discussed the problems that some property owners are having with mini bikes. The attorney was directed to research the law to see if the City has the authority to license mini bikes.

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

RESOLUTION NO. 70-

RESOLUTION PROHIBITING RECREATIONAL MOTOR VEHICLES  
IN CITY PARKS.

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

Motion that the Council authorize the Director of Public Safety to purchase one Telemetry System with accessories and include installation for the ambulance as per Metro West Bid figures they received from Motorola Communications and Electronics in the amount of \$5,330.86, made by Councilman Hamnero. Seconded by Councilman Denzer. Carried viva voce.

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

Mayor Peterson called a special council meeting for Thursday, July 13th, 1978, at 7:30 p.m. to discuss the reports from staff on the drainage problems and to discuss the proposed 1979 budget.

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

Meeting adjourned at 12:45 a.m. on July 6, 1978.

Respectfully submitted, :

*Carl F. Meissner*  
Carl F. Meissner  
Clerk Administrator

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUL 26 1978

*Jan Anderson Howe*  
Secretary of State

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