

Cottage Grove

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 6th day of September, 1978 at 7:30 o'clock P.M.

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

And the following were absent: None.

Mayor Peterson presided at the meeting.

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

The minutes of the August 16, 1978 regular meeting were reviewed. There being no additions or corrections, the minutes were approved as mailed.

The minutes of the August 23, 1978 special meeting were reviewed. There being no additions or corrections, the minutes were approved as mailed.

The minutes of the August 28, 1978 special meeting were reviewed. There being no additions or corrections, the minutes were approved as mailed.

The minutes of the August 30, 1978 special meeting were reviewed. There being no additions or corrections, the minutes were approved as mailed.

Motion that the application of Kenneth Franzmeier for an amendment to his minor subdivision by realignment of a road servicing said subdivision be approved subject to:

1. The original 60 foot easement along the south edge of Lot 3 shall be vacated.
2. No building permits shall be issued to any of the lots until the original road along the southern edge of Lots 1 and 2, and the proposed new road is either constructed and approved by the City or bond is posted in the amount of the estimated cost to construct said road, and further that the City Attorney is hereby directed to prepare the necessary resolution

made by Councilman Denzer. Seconded by Councilman McHattie. Carried viva voce.

The Council then considered the resolution amending Resolution No. 77-137 relating to the Kenneth Franzmeier minor subdivision. It was pointed out to the Council by the applicant that one of the homeowners was not in a financial position to either post a bond or pay to have the road constructed in front of his lot.

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

RESOLUTION NO. 78-98

RESOLUTION AMENDING RESOLUTION 77-137 RELATING TO
KENNETH FRANZMEIER MINOR SUBDIVISION

A 31784

WHEREAS, this Council on September 21, 1978, adopted Resolution No. 77-137 granting a minor subdivision to Kenneth Franzmeier for certain property; and

WHEREAS, on August 16, 1978, Kenneth Franzmeier and assigns made application to this Council for an amendment to the original subdivision requesting that they be individually allowed to post letters of credit or a payment and performance bond so as to individually obtain building permits for Lots 2 and 3 prior to construction of the road; and

WHEREAS, Kenneth Franzmeier and assigns made application to change the location of the road to be constructed to reduce the road cost; and

WHEREAS, this Council has heard and considered said applications and heard and considered the recommendations of the City Planner and Planning Commission,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that Resolution No. 77-137, adopted September 21, 1977 shall be amended to allow the property owners to individually provide the City with letters of credit or payment and performance bonds in the amount of at least \$21,250.00 providing that if they have not constructed the road on or before September 1, 1979, the City shall and will construct said road from the proceeds of the letters of credit or payment and performance bonds; and

BE IT FURTHER RESOLVED, that the property owners be allowed to alter the location of the road as shown in their application and that they be allowed to construct less than all of the road at one time, so long as the road is continuous from Lamar Avenue.

Passed this 6th day of September, 1978.

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

The Council reviewed the application of Petricka & Assoc. requesting the City Engineer to prepare the plans and specifications for the installation of street lighting in the Pine Hill Acres First Addition. Motion that the Council authorize the engineer to prepare plans and specifications for street lighting in the Pine Hill Acres First Addition made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

Mr. Kenneth Russell appeared before the Council wanting to discuss the operation of the Public Safety Department. One of the questions he asked is how the City Administrator can be both the personnel officer, affirmative action officer and the administrator all at once. He also questioned the posting of the position of administrative assistant to the Director of Public Safety. Using the title of Director of Public Safety was also discussed. Mr. John Creighton also commented on the operation of the Police Department, the traffic on Belden Boulevard and the length of time it took for an officer to answer a call he made. Motion that the Council take applications from any person that is interested to serve on the special committee which will evaluate the organization of the Police Department made by Councilman Denzer. Seconded by Councilman Hammero. Carried 4 ayes, 1 nay. Councilman McHattie voting nay.

Mr. and Mrs. Britzman, who reside at 8411 Indian Boulevard South, appeared before the Council and asked what measures the Council will be taking to alleviate the flooding of their yard. It was explained to them that part of the water that is running into this area from the west is going to be diverted, and that the swale will be made wider and deeper with the removal of part of the berm in the park. Question was asked whether or not a catch basin could be put on Indian Boulevard east of the park. The Director of Public Works and engineer are to report back to the Council at its next regular meeting concerning this matter.

Motion that the following license applications be approved:

1. Teen Dance Committee, dance permit 9/16/78, East Cottage Grove Community Club
2. Cottage Grove Community Club dance permit 9/15/78, East Cottage Grove Community Club
3. Newport Riders Snowmobile Club, dance permit 11/4/78, East Cottage Grove Community Club
4. Kurup Construction Company - General Contractors License
5. Industrial Clean Air - General Contractors License
6. Oreskovich Construction Company - General Contractors License
7. K & R Roofing of Hastings - Roofing and Siding Contractors License
8. Fireplace Construction Company - Masonry Contractors License
9. Whirlpool, Inc. - Cigarette License
10. Movies at Cottage Grove Theatre and Amusement Devices License

made by Councilman McHattie. Seconded by Councilman Denzer.

Motion that the foregoing be amended to delete the applications of the movies at Cottage Grove amusement devices license made by Councilman Denzer. Seconded by Councilman McHattie. Carried viva voce. The vote on the original motion as amended carried viva voce.

Motion that the application of movies at Cottage Grove Theatre and amusement devices license be tabled, and that the Clerk Administrator be directed to notify the Manager of the U.A. Theatre at Cottage Grove and all of the other businesses in the Grove Plaza Shopping Center of the license application and that it will be before the City Council at its next regular meeting on September 20, 1978 made by Councilman Denzer. Seconded by Councilman Hamnero. Carried viva voce.

Ms. Sandy Bilski appeared before the Council requesting funds for Peoplemaking 1978. Motion that the Council appropriate \$309.00 from revenue sharing funds to Peoplemaking 1978 made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

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

RESOLUTION NO. 78-99

RESOLUTION ACCEPTING WORK AND AUTHORIZING FINAL PAYMENT FOR THE CONSTRUCTION OF THE HEARTHESIDE PARK TENNIS COURT RECONSTRUCTION

WHEREAS, pursuant to a written contract signed with the City of Cottage Grove, Warren's Excavating, Inc. has satisfactorily completed the construction of the Hearthside Park Tennis Court Reconstruction in accordance with such contract,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Cottage Grove, County of Washington, State of Minnesota, that the work completed under said contract is hereby accepted and approved, and

BE IT FURTHER RESOLVED, that the City Clerk and Mayor are hereby directed to issue a proper order for the final payment of such contract in the amount of \$4,968.00.

Passed this 6th day of September, 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, Councilman Denzer and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

The Council reviewed the Human Services Commission minutes of the meeting held on August 23, 1978. Motion that the resignation of Mr. Robert Porter from the Human Services Commission be accepted, and that a letter and Certificate of Appreciation be sent made by Councilman Hammero. Seconded by Councilman McHattie. Carried viva voce.

The Council reviewed the final 1979 budget adjustments made by the Clerk Administrator. The Mayor scheduled a special meeting to be held on September 26, 1978 to finalize the budget.

Motion that a public hearing be held on September 26, 1978 at 7:30 P.M. on the use of revenue sharing funds for 1979 in conjunction with finalizing the general fund budget made by Councilman McHattie. Seconded by Councilman Denzer. Carried viva voce.

The Council reviewed a report received from the City Attorney regarding the deferment of special assessments. No action taken.

The Council reviewed the Memorandum of Understanding between the Minnesota Department of Human Rights and the Cottage Grove Human Services Commission. Motion that the Memorandum of Understanding between the Minnesota Department of Human Rights and the Cottage Grove Human Services Commission be rewritten by the City Attorney and referred to the Human Services Commission for their review and approval made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Motion that the agreement between the City of Cottage Grove and the J. L. Sheilly Company regarding the dedication and construction of a new roadway be approved, and that the Mayor and Council are hereby authorized to sign said agreement made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

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

RESOLUTION NO. 78-100

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR STORM
SEWER EXTENSION IDSSEN AVENUE SOUTH FROM 68TH STREET SOUTH
TO 65TH STREET SOUTH AND ORDERING ADVERTISEMENT FOR BIDS

WHEREAS, pursuant to resolution passed by the City Council on August 16, 1978, the City Consulting Engineer, Bonestroo, Rosene, Anderlik & Assoc., Inc. has prepared plans and specifications for the extension of storm sewer on Idsen Avenue South between 68th Street South and 65th Street South, and has presented such plans and specifications to the Council for approval.

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

1. Such plans and specifications for the extension of storm sewer pipe heretofore prepared for the City by the engineers and now on file in the office of the City Clerk are hereby approved as the plans and specifications in accordance with which said improvements shall be made, except as said plans specifications may be modified by further action of this Council in accordance with law.
2. Sealed bids will be received and publicly opened and read aloud at the City Hall on September 28, 1978 at 10:00 A.M. The Council will meet at a later date for the purpose of considering said bids and awarding the contract for the storm sewer improvements.
3. The Clerk shall cause to be published in the South Washington County Bulletin, the official newspaper of the City, and in the Construction Bulletin at least ten days before the date for the opening of the bids, a notice of bids, for the construction of said improvement as required by law.

Passed this 6th day of September, 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 engineer advised the Council that he received no bids lower than the original bid from Barbarossa and Sons for the reconstruction of the outlet pipe from the pond south of 70th Street. The engineer also advised the Council that he felt the contractor would be able to start this construction within the next week. No action taken.

Motion that the water distribution report and 1979 water department budget be deferred until the special meeting to be held on September 26, 1978 made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

Mr. Dennis Larson appeared before the Council objecting to a citation he received from the Police Department for not having a dog licensed. The Mayor directed that the City Attorney, Chief of Police, and the officer writing the citation get together with Mr. Larson to see if this matter can be worked out.

Motion that the Council accept the alignment concept presented by the City Planner of Jamaca Avenue from 70th Street South to 80th Street South made by Councilman Amundson. Seconded by Councilman Hammero. Carried 4 ayes, 1 abstention. Councilman McHattie abstaining.

Motion that the Council reaffirm the appointment of Cynthia Kogler to the position of Administrative Assistant to the Director of Public Safety made by Councilman Amundson. Seconded by Councilman Hammero. Motion that the affirmation of the appointment of the Administrative Assistant to the Public Safety Director be tabled until the next regular meeting, and that also the position be reposted until that time made by Councilman McHattie. Seconded by Councilman Denzer. Carried viva voce.

Motion that the sign ordinance be tabled until the next regular meeting made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

The Mayor directed that any discussion on cable T.V. be referred to the next regular meeting.

The Council reviewed the request of a Gordon Flanders to have a night light installed in Ideal Park. Staff was directed to discuss this to see if there is a good location for the installation of this light and report back to the Council with their recommendation including the cost of a light.

The Council discussed the policy of allowing open cutting of streets for placement of utilities. Council directed staff not to allow any further open cutting of streets for the installation of utilities, and that this matter be referred to the Public Works Commission for their study and recommendation.

Motion that the bills as presented with the addition of a bill from LaHass Manufacturing and Sales, Inc. for an aerial bucket in the amount of \$7,477.00 be added made by Councilman McHattie. Seconded by Councilman Amundson. Carried viva voce.

Mr. Joseph Braun appeared before the Council regarding their action supporting the City of Richfield in their suit against binding arbitration. No action taken.

Mr. Joseph Schnide appeared before the Council and advised that he has been appointed to the Committee of the Metropolitan Council to review the requirements for the installation of on-site disposal systems.

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

Meeting adjourned at 11:20 P.M.

Respectfully submitted,

Carl F. Meissner
Carl F. Meissner
Clerk Administrator

STATE OF MINNESOTA
DEPARTMENT OF STATE
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Secretary of State

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Jean Anderson Howe
Secretary of State
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