

*Mrs. Cheri Mattson*

Pursuant to due call and notice thereof, a regular meeting was held at the City Hall, 7516 80th Street South, on the 7th day of March, 1979 at 7:30 o'clock p.m.

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

Ant the following were absent: None

Mayor Peterson presided at the meeting.

Motion that Resolution No. 79-24, adopted February 21, 1979, be corrected by adding to the first paragraph after the words "Pole barn", "at 7100 70th Street South", made by Councilman Hammero. Seconded by Councilman McHattie. Carried by viva voce.

Motion that the minutes of the February 21, 1979 regular meeting be approved made by Councilman Denzer. Seconded by Councilman Hammero. Carried by viva voce.

The minutes of the February 28, 1979 special meeting were reviewed. There being no additions or corrections, they 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 consideration of and application made by the Boondocks Tavern for an "on-sale" non-intoxicating malt liquor license. 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 Hearing for consideration of any comments or objections. Staff advised the Council that there had been no complaints regarding the applicant's license and also that the hearing was being held in compliance with all applicable laws. There being no further comments or objections, the Mayor closed the hearing.

Motion that the application of the Boondocks Tavern for an "on-sale" non-intoxicating malt liquor license be approved made by Councilman Denzer. Seconded by Councilman Hammero. Carried 4 ayes, one nay, Councilman Amundson voting nay.

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 consideration of and application made by the Cottage Grove S.S.S. Club for a temporary "on-sale" non-intoxicating malt liquor license on March 17, 1979. Which affidavit was examined, approved, and ordered placed on file in the office of the City Clerk.

# 32049

The Clerk then read aloud the Notice of Hearing.

The Mayor then opened the Hearing for consideration of any comments or objections. Staff advised the Council that there had been no complaints regarding the applicant's license and also that the hearing was being held in compliance with all applicable laws. There being no further comments or objections, the Mayor closed the hearing.

Motion that the application of the Cottage Grove S.S.S. Club for a temporary "on-sale" non-intoxicating malt liquor license on March 17, 1979 be approved made by Councilman McHattie. Seconded by Councilman Hammero. Carried 4 ayes, one nay, Councilman Amundson voting nay.

The Council then considered the action it had previously taken rezoning certain properties located in the northeast quarter of Section 8. The following appeared before the Council opposed to the rezoning: Barry Mossbarger, 7133 Hyde Avenue South; Joseph Anderson, 7938 71st Street South; Clarence Cross, 7937 72nd Street South, David Birkholz, 7584 Immanuel Avenue South, Theresa Joyce, 7930 72nd Street South, Audrey Daily, 7957 72nd Street South, and Robert Carter, 8147 Idsen Avenue South. The following appeared in favor of rezoning: Kay Wilcox, 8886 Greystone Avenue South.

Mr. Barry Mossbarger presented a petition from area residents requesting the City Council to change the zoning of the property located in the northeast quarter of Section 8 from an R-5 zoning to an R-3 zoning, which petition was accepted and ordered placed on file in the office of the City Clerk.

The Mayor directed that these minutes show that the Council considered the request for rezoning of certain property from R-5 to R-3 but no action was taken by the Council. The Mayor directed that the Planning Department obtain the names of any interested citizens living in the immediate area to serve on the committee to review the application for a conditional use permit for multiple dwellings when filed.

Motion that the City attorney be directed to prepare an ordinance requiring builders or developers of new homes to obtain a disclosure notice from persons buying a new home that they are aware of the zoning of property in their immediate area made by Councilman Hammero. Seconded by Councilman Denzer. Carried by viva voce.

Motion that the Council approve the plat amendment application of Mr. Charles Schulz for Lots 4 and 5, Block 3 of Rolling Hills 1st Addition subject to the establishment and recording of a five-foot drainage easement along each side of the common property line made by Councilman Denzer. Seconded by Councilman McHattie. Carried by viva voce.

Motion that the Council approve the application of Mr. Charles Schulz for a lot with variance on Lot 4, Block 3, Rolling Hills 1st Addition made by Councilman McHattie. Seconded by Councilman Denzer. Carried by viva voce.

Motion that the application of Mr. Robert Sirr for an eight-foot rear-yard set-back variance on Lot 11, Block 1, Rolling Hills 1st Addition be approved made by Councilman Amundson. Seconded by Councilman Hammero. Carried by viva voce.

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Motion that the Council approve a preliminary plat for Pine Tree Pond East Addition Phase II and that the City attorney is hereby directed to prepare the necessary resolution made by Councilman McHattie. Seconded by Councilman Hammero.

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

RESOLUTION NO. 79-32

RESOLUTION ORDERING PREPARATION OF REPORT  
ON STORM SEWER IMPROVEMENT

WHEREAS, it is proposed to improve certain property located in Section 10 and 15 of the City of Cottage Grove and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes Sections 429.011 to 429.111 (Laws 1953, Chapter 398, as amended),

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Cottage Grove, Washington County, State of Minnesota, that the proposed improvement be referred to the City Engineer, Bonestroo, Rosene, Anderlik & Associates, Inc., for study and that they be instructed to report to the Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement and the estimated cost of the improvement as recommended.

Passed this 7th day of March, 1979.

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.

Motion that the application of the Cottage Grove S.S.S. Club for a dance permit on March 17, 1979; and the East Cottage Grove Scramblers Snowmobile Club for a dance permit on March 10, 1979; and the Imperial Vending Service, Inc. (K-Mart) for a cigarette license be approved made by Councilman Amundson. Seconded by Councilman Denzer. Carried by viva voce.

Motion that the ordinance amending Section 26-3 with respect to water connection fees be tabled made by Councilman Denzer. Seconded by Councilman McHattie. Carried by viva voce.

Mayor Peterson left the meeting and the remainder was presided over by Acting Mayor Hammero.

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

RESOLUTION NO. 79-33

RESOLUTION REQUESTING THE MINNESOTA STATE LEGISLATURE  
TO PROVIDE FOR THE LOCATING AND ESTABLISHING OF A  
HAZARDOUS WASTE DISPOSAL SITE

WHEREAS, within the State of Minnesota, there are a variety of industrial and commercial firms providing jobs for citizens of the State of Minnesota, and

WHEREAS, these same industrial and commercial firms contribute to the tax base of the various local taxing districts of the State, and

WHEREAS, some of these industrial and commercial firms produce waste which is considered hazardous as a result of their operation, and

WHEREAS, a properly permitted hazardous waste disposal site is required for the safe disposition of such hazardous waste material, and

WHEREAS, there presently is no properly permitted hazardous waste disposal site in the State of Minnesota.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Cottage Grove, Washington County, State of Minnesota, that it hereby requests the Minnesota State Legislature in the 1979 session to provide the legal framework for locating and establishing a safe and proper hazardous waste disposal site in the State of Minnesota at a geologically suitable site.

Passed this 7th day of March, 1979.

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 Denzer, Councilman McHattie, Councilman Amundson, and Acting Mayor Hammero. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that the resolution authorizing transfer of funds be tabled made by Councilman Amundson. Seconded by Councilman Denzer. Carried by viva voce.

The Planning Commission minutes of February 26, 1979 were reviewed. No action taken.

The Council reviewed the Parks, Recreation & Natural Resources Commission annual report for 1978.

Motion that the Council accept the Parks, Recreation & Natural Resources Commission annual report for 1978 and ordered placed on file in the office of the City Clerk made by Councilman Amundson. Seconded by Councilman Denzer. Carried by viva voce.

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Motion that the Council approve Change Order No. 2 between the City and Hustang and Engstrom, Inc., in the amount of \$3,030 made by Councilman Amundson. Seconded by Councilman McHattie. Carried by viva voce.

Motion that the Council accept the resignation of Reverend John Kautz from the Human Services Commission with regret and a letter of appreciation be sent by the Council made by Councilman Amundson. Seconded by Councilman Denzer. Carried by viva voce.

Motion that the Council accept the recommendation of the City Administrator and approve the salary of Mr. Michael Black as Planning Aid for the time he worked in 1979 at a monthly salary of \$1,287 made by Councilman Amundson. Seconded by Councilman Denzer. Carried by viva voce.

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

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

Meeting adjourned at 11:07 p.m.

Respectfully submitted,

*Carl F. Meissner*

CARL F. MEISSNER  
Clerk Administrator

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
MAR 16 1979  
*John Anderson Howe*  
Secretary of State

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