

Cottage Grove 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 4th day of April, 1979, at 7:30 o'clock p.m.

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

And the following were absent: None

Mayor Peterson presided at the meeting.

The minutes of the March 21, 1979 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The Council reviewed the application for rezoning made by Mr. David Fuchs.

Motion that the application made by David Fuchs for rezoning of certain property located in the southeast quarter of Section 36 from B-2 to R-2 be approved and that the attorney is hereby directed to prepare the necessary ordinance made by Councilman Hammero. Seconded by Councilman McHattie. Carried viva voce.

The Council reviewed the application of C. G. Rein for rezoning.

Motion that the application of C. G. Rein to rezone certain property located in the southwest quarter of the southeast quarter of Section 8 from R-3 to B-1 be approved and that the attorney is hereby directed to prepare the necessary ordinance made by Councilman Hammero. Seconded by Councilman McHattie. Carried viva voce.

Motion that the application of C. G. Rein for a preliminary plat located in the southwest quarter of the southeast quarter be approved subject to the condition that a dollar value equal to 10% of the value of the land be dedicated for capital improvements in Oakwood Park and that the attorney is hereby directed to prepare the necessary resolution made by Councilman Hammero. Seconded by Councilman Denzer. Carried viva voce.

Motion that the application of Wilbur J. Husaby to rezone Lot 11, Block 11, Thompson Grove Estates 8th Addition from B-2 to B-3 be approved and that the attorney is hereby directed to prepare the necessary ordinance made by Councilman Denzer. Seconded by Councilman Amundson. Motion failed, one aye, four nays, Councilman Denzer voting aye.

Motion that the application of Wilbur J. Husaby for a conditional use permit for an outdoor sales lot on Lot 11, Block 11, Thompson Grove Estates 8th Addition be denied, because of improper zoning made by Councilman Hammero. Seconded by Councilman McHattie. Carried four ayes, one nay, Councilman Denzer voting nay. The Planner was to report back to the Council advising them as to what use of the property was allowed.

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Motion that the application of Dreyfuss Interstate Corporation for the approval of Ridgewood 1st Addition final plat be approved and the the Mayor and Clerk are hereby authorized to sign said application upon approval made by Councilman Amundson. Seconded by Councilman McHattie.

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

RESOLUTION NO. 79-43

A RESOLUTION DETERMINING SUFFICIENCY OF PETITIONS FILED PURSUANT TO M.S.A. 429.031, SUBD. 3 AND ORDERING IMPROVEMENT

WHEREAS, a petition has been submitted to this Council for the construction of an improvement to that real property described as Pine Tree Pond East First Addition, Washington County, Minnesota, consisting of sanitary sewer, water mains, house services and storm sewer laterals, and for the assessment of the entire cost thereof against abutting property, now

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

1. It is hereby found and determined that the petition described in the preamble to this resolution is signed by all of the owners of real property affected by the improvement, in accordance with Minnesota Statutes, Section 429.031, Subdivision 3.

2. It is hereby ordered that said improvement shall be made, without a public hearing first being held thereon, and the the entire cost of said improvement shall be assessed against the petitioners.

3. Mr. Otto Bonestroo, of St. Paul, Minnesota, the consulting engineer for the City, is hereby authorized and directed to prepare final plans and specifications for said improvement and to submit them to this Council.

4. That no bid be awarded until the Subdivision Agreement and Development Bond is filed with the City.

Passed this 4th day of April, 1979.

The motion for the adoption of the foregoing resolution 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 resolution was duly declared passed and adopted.

Council Meeting April 4, 1979 Page 3

Motion that the Council approve the subdivision of assessments against a part of Tract B, Registered Land Survey No. 36, and further described by the auditors as Parcel No. 28353-2000, and that the assessment balance is hereby declared to be \$281.64, and that said subdivision of assessment is approved with the stipulation that said amount be paid in full made be Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Representatives of Cottage Grove VFW Post 8752 appeared before the Council requesting an ordinance change regarding the regulating of the issuance of an intoxicating liquor "on-sale" club license. The Mayor directed the attorney to work with the VFW Post and make an appropriate recommendation to the Council.

The Council reviewed the plans of Washington County to upgrade County Road 22 from Hinton Avenue South westerly to Trunk Highway 10 and 61. The Council indicated to the County that it was in favor of having this road upgraded, although it did not have funds available until approximately 1982 to help fund this project. Staff would continue working with the County in regards to this matter.

The Council heard an oral report from the City attorney regarding the disbursement of the sewer availability charges that were refunded to the City by the Metropolitan Waste Control Commission. In essence the report from the attorney was that if the funds were to be returned, the City would have to be careful as to disbursement so as to avoid being sued. The Council also heard from various residents regarding their requests as to how the money should be refunded. This matter was referred to the May 2nd regular meeting for further discussion.

Motion that license applications 1 through 5 be approved made by Councilman McHattie. Seconded by Councilman Hammero. Carried viva voce.

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

ORDINANCE NO. 299

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA,  
AMENDING THE CITY CODE WITH RESPECT TO REQUIREMENTS  
FOR SUBDIVISION APPROVAL

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," is hereby amended by amending "Chapter 23, Article II, Sec. 23-8(d)" to read as follows:

(d) Additional information

(1) Statement of the proposed use of lots, stating type of residential buildings with number of proposed dwelling units; type of business or industry so as to reveal the effect of the development on traffic, fire hazards and population congestion.

(2) Source of water supply.

(3) Provisions for sewage disposal, surface water drainage plan, including dimensions.

(4) If any zoning changes are contemplated, the proposed zoning plan, including dimensions.

(5) Such other information as may be requested by the engineer or planning commission.

(6) Where the subdivider owns property adjacent to that which is being proposed for subdivision, the Planning Commission may require the subdivider to submit a sketch plan of the remainder of the property, to show the possible relationships between the proposed subdivision and future subdivision. All subdivisions must be shown to relate well with existing or potential adjacent subdivisions and land use.

(7) A complete grading and development plan, showing grades and elevations of all streets and lots and surface drainage routes for the entire subdivision. Sewer line and water main location size and gradient may also be required at this time.

(8) A statement of the zoning and development status of land parcels adjacent to the proposed plat. After approval of the plat and the land status statement, the subdivider shall provide a copy of said statement to each lot purchaser and obtain a receipt for said statement.

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

Passed this 4th day of April, 1979.

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

The Council reviewed the report from the Citizens' League regarding the collection of garbage and refuse.

Motion that the report from the Citizens' League regarding the collection of garbage and refuse in the residential areas be referred to the Public Works and Public Health, Safety, and Welfare Commissions for their review and comments made by Councilman Amundson. Seconded by Councilman Denzer. Carried *viva voce*.

The engineer reviewed a proposed construction plan for Grange Boulevard near the Fire Station which was a modification of the plan submitted earlier by the Minnesota Department of Transportation.

Motion that the Council accept this modification which would allow fire apparatus to be parked in the front of the Fire Station without extending into the street, since this change would affect the capacity of the roadway, and further that the engineer is hereby authorized and directed to notify the Minnesota Department of Transportation of the Council's action regarding this application made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

The Council reviewed the report on loss of revenue and additional cost incurred due to the breakdown of the Ice Arena. Staff was directed to prepare additional information regarding the loss figures.

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

ORDINANCE NO. 300

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE,  
MINNESOTA AMENDING THE ZONING ORDINANCE RELATING  
TO THE FLOODWAY AND FLOODFRINGE DISTRICT

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

SECTION 1. AMENDMENT. "The City Code of the City of Cottage Grove, Minnesota", shall be amended by amending "Chapter 28, Section 28-3 (b) as follows:

Section 28-3(b) Definitions.

Flood Fringe. That portion of the flood plain outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study for Cottage Grove.

SECTION 2. AMENDMENT. "The City Code of the City of Cottage Grove, Minnesota", shall be amended by amending Chapter 28, Section 28-67 (b) as follows:

Section 28-67 (b)

Application; interpretation. This section shall apply to all lands within the jurisdiction of the city shown in the Flood Insurance Study for Cottage Grove as being located within the boundaries of the floodway or flood fringe district. The study entitled Flood Insurance Study, City of Cottage Grove, Washington County, Minnesota, dated February, 1976, and the Flood Hazard Boundary Map/Flood Insurance Rate Map, dated April 30, 1976, furnished by the Department of Housing and Urban Development, are hereby adopted by reference and declared to be a part of the official Zoning Map and this ordinance.

The flood protection elevation shall be seven hundred feet above mean sea level. Where interpretation is needed as to the exact location of the floodway or flood fringe boundary, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Flood Insurance Study for Cottage Grove with attendant Flood Boundary and Floodway Map shall be used to determine the exact elevation and boundary.

SECTION 3. AMENDMENT. "The City Code of the City of Cottage Grove, Minnesota," shall be amended by amending Chapter 28, Section 28-67 (g) to include the following:

(5) Mobile homes and mobile home parks. New mobile home parks shall be subject to the provisions placed on subdivisions by section 28-67 (i). Individual mobile homes not located in mobile home parks shall only be permitted if they comply with section 28-67 (f) and other applicable sections of Chapter 28 of the City Code.

SECTION 4. AMENDMENT. "The City Code of the City of Cottage Grove, Minnesota," shall be amended by amending Chapter 28, Section 28-67 (h) to include the following:

(6) Prior to granting a permit for a building, structure, construction grading or deposit in a floodway or floodfringe and prior to processing a conditional use permit or variance, the zoning administrator shall determine that the applicant has obtained the necessary state and federal permits.

(7) The zoning administrator shall obtain and maintain, review and utilize base flood elevation data available from federal, state or other sources and use said data as criteria for requiring that (a) all new construction and substantial improvements of residential structures and nonresidential structures have the lowest floor (including basement) elevated to or above the regulatory flood protection elevation.

SECTION 5. AMENDMENT. "The City Code of the City of Cottage Grove, Minnesota," shall be amended by amending Chapter 28, Section 28-67 to include the following:

(i) Subdivision of Land. No land shall be subdivided which is held unsuitable by the city for reason of flooding, inadequate drainage, water supply or sewage treatment facilities. All lots within the floodplain district shall contain a building site at or above the Regulatory Flood Protection Elevation. All subdivisions shall have water and sewage disposal facilities that comply with the provisions of Chapter 28 and Chapter 23 of the City Code and have road access both to the subdivision and to the individual building sites no lower than two feet below the Regulatory Flood Protection Elevation.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 4th day of April, 1979.

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 McHattie, Councilman Denzer, and Mayor Peterson. The following voted against the same: None. Whereupon said ordinance was duly declared passed.

The engineer gave a verbal report regarding the infiltration of storm sewers into the sanitary sewer system. He indicated that the City was still experiencing infiltration into the sanitary sewer lines and that action was being taken to have this matter resolved. No action taken.

The Council reviewed a report from the engineer regarding the installation of storm sewer underneath 80th Street South.

Motion that the Council go on record as approving the installation of 100 feet of storm sewer line under 80th Street South and that the City engineer is hereby authorized and directed to work with the Minnesota Department of Transportation in having this pipe installed made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

The Council reviewed the report from the City Administrator regarding the police contract negotiations.

Motion that the Council accept the recommendations of the City Administrator and approve the labor agreement between the Cottage Grove Police Association and the City and that the Mayor and Clerk are hereby authorized to sign said agreement made by Councilman Amundson. Seconded by Councilman Denzer. Carried four ayes, one nay, Mayor Peterson voting nay.

Motion that the Council approve the establishment of a salary of \$8.00 per hour for a Trails Project Coordinator and further that Mr. Dale P. Mitsch be employed to fill this temporary position made by Mayor Peterson. Seconded by Councilman Hammero. Carried four ayes, one nay, Councilman Amundson voting nay.

The Council reviewed the plans and specifications for construction of Deep Well No. 9.

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

RESOLUTION NO. 79-44

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE  
CONSTRUCTION OF WELL #9

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

The plans and specifications for the construction of Well #9 heretofore prepared for the City by its 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 improvement shall be made, except as said plans and specifications may be modified by further action of this Council, in accordance with law.

Sealed bids will be received and publicly opened and read aloud at the City Hall on Thursday, April 26, 1979, at 11:00 a.m. The Council will meet at a later date for the purpose of considering said bids and awarding contract for the construction of Well #9.

The Clerk shall cause to be published in the Washington County Bulletin, the official newspaper of the City, and in the Construction Bulletin, at least ten (10) days before the date for the opening of bids, a Notice of Bids for the construction of said improvement as required by law.

Passed this 4th day of April, 1979.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman Hammero. Upon vote being taken thereon, the following voted in favor thereof: Councilman McHattie, Councilman Hammero, Councilman Amundson, 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 request for the engineer to do a grading plan for Pine Tree Pond East Park. Engineer to advise Council as to his cost in preparing said plan. No further action taken.

Motion that the Director of Public Works be authorized to purchase one 20-ton floor jack at a cost of \$510.00 made by Councilman Denzer. Seconded by Councilman McHattie. Carried viva voce.

Motion that Mr. John Mickleson and Mr. Laurel Tollefson be hired as police officers for the City of Cottage Grove on a six-month probationary period and that John Mickleson have seniority over Laurel Tollefson made by Councilman Amundson. Seconded by Councilman McHattie. Carried viva voce.

Motion that Laurel Tollefson's starting salary be that of a one-year patrolman because of previous experience made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Motion that Patti Armstrong be appointed as a member to the City's Planning Commission for a term ending 1/1/82, made by Councilman McHattie. Seconded by Councilman Hammero. Carried viva voce.

Motion that the salary of Geraldine Longfellow be increased by \$57.75 per month effective April 1, 1979, made by Councilman Hammero. Seconded by Councilman Amundson. Carried viva voce.

Motion that George Posavad be appointed to serve on the Public Works Commission and that his term expire 1/1/82, made by Councilman Amundson. Seconded by Councilman McHattie. Carried viva voce.

Motion that Walter Gordon, Sr., be appointed to the Human Services Commission as a regular member and that his term expire as of 1/1/81, made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

The Council set a special meeting for April 11, 1979 at 7:30 p.m. at which time they would do an exercise on preparing a capital improvement program. A special meeting will also be held on April 30, 1979, at which time the proposed budget for 1980 will be discussed.



Council Meeting April 4, 1979 Page 9

Motion that the Council approve the payment of \$8,500.28 to School District 833 for the condemnation of land for the Point Douglas South service road made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Motion that the Council approve the proposed rates to renew the City's liability, auto, and workers' compensation insurance for 1979-1980 with the Home Insurance Company made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Motion that Margaret Hayes be appointed as the Family Counselor for the Youth Service Bureau at an annual salary of \$13,200 and that said appointment be subject to the six-month probationary period made by Councilman Denzer. Seconded by Councilman Hammero.

Motion that the bills as presented be allowed made by Councilman Hammero. Seconded by Councilman Denzer.

County Commissioner Joseph Fogarty appeared before the Council advising them as to what various actions the County Board has taken affecting the City.

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

Meeting adjourned at 11:25 p.m.

Respectfully submitted,

*Carl F. Meissner*

CARL F. MEISSNER  
Clerk Administrator

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 12 1979

*John Andrew Howe*  
Secretary of State

*432079*  
*O. R.*