

Mrs. Cheri Mattson

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 18th day of July, 1979, at 7:30 o'clock p.m.

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

And the following were absent: Councilman Denzer (excused)

Mayor Peterson presided.

The minutes of the July 3, 1979 special meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the July 5, 1979 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the July 11, 1979 special meeting were reviewed. There being no additions or corrections, they were approved as mailed.

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

RESOLUTION NO. 79-97

RESOLUTION APPROVING CONSENT ITEMS
ON CITY COUNCIL AGENDA OF JULY 18, 1979

BE IT RESOLVED, that Resolution No. 79-98, Resolution Amending Resolution No. 78-128 Approving Final Plat of Pinetree Pond East Addition; Resolution No. 79-99, Resolution Approving Conditional Use Permit for Commercial Recreation Facility; Resolution No. 79-100, Resolution Approving Final Plat of Hinton Heights First Addition; Resolution No. 79-101, Resolution Approving Final Plat for Pinetree Pond East Second Addition; and that license applications from Mill City Heating and Air Conditioning for a general contractor's license and ARKAY Construction Company for a general contractor's license be approved.

Passed this 18th day of July, 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, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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 use of revenue sharing funds to be received by the City during the calendar year 1980 and the unappropriated revenue sharing funds received by the City during the calendar year 1979. 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.

32271

The Mayor then opened the Hearing for consideration of any comments or objections. The Council did not receive any requests from the citizenry on the use of revenue sharing funds to be received in 1980 or the unappropriated funds of 1979. Staff did advise Council that approximately \$43,000.00 must be appropriated to pay off the loan for the purchase of ladder truck and construction of the addition to the Public Works Garage. There being no further comments or objections, the Mayor closed the Hearing.

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 application of the Cottage Grove Athletic Association for a temporary "On-sale" nonintoxicating malt liquor license for Hamlet Park for August 4 and 5, 1979. 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. There being none, the Mayor closed the Hearing.

Motion that the application of the Cottage Grove Athletic Association for a temporary "On-sale" nonintoxicating malt liquor license for Hamlet Park for August 4 and 5, 1979, be approved made by Councilman McHattie. Seconded by Councilman Hammero. Carried 3 ayes, one nay, Councilman Amundson voting nay.

The Mayor directed that the records show that the letter from Mr. John Tomaselli regarding the annexation of Grey Cloud Township was received and placed on file in the office of the City Clerk. The Mayor also directed the records show that the letter from Mr. Harvey Stiefel regarding the annexation of Grey Cloud Township was received and placed on file in the office of the City Clerk. Mr. Bruce A. Rasmussen, Attorney representing Grey Cloud Township, appeared before the Council regarding the annexation. The Mayor then read the portion of the Memo received from the Clerk Administrator regarding the petition for annexation of a part of Grey Cloud Township to the City, which recommendation was that it not take six months for a study plus no study committee be formed.

The Council then gave the Town Board and other persons the opportunity to speak regarding the annexation. Mr. Harvey Stiefel, Town Board Chairman; Mr. Roland Peek, Supervisor of Grey Cloud Township; Ms. Teddy Bell, Supervisor of Grey Cloud Township; Mr. Pinska, former Grey Cloud Board Supervisor; and Mr. Conway Olson appeared before the Council and spoke regarding the proposed Grey Cloud annexation.

The Mayor set a special meeting for August 8, 1979, at 7:30 p.m., at which time the Council will meet with the Town Board and any other interested persons and review the report from the City Administrator regarding the proposed annexation of Grey Cloud Township to the City of Cottage Grove.

The Council reviewed the letter from Mr. Wright S. Walling, Attorney at Law, regarding the Purple Area Storm Sewer Drainage Plan. The Mayor directed that the letter be accepted and ordered it placed on file in the office of the City Clerk and also that the Attorney and Engineer respond to this letter.

The Council received a petition from Mr. Marlin Rygh, requesting road and utility installation for the Highland Townhomes Addition. The Administrator advised the Council that the minutes should note that the petition was received and requested that no action be taken at this time.

The Council received a request from Aero Precision Engineering for the calling of a public hearing regarding the issuance of industrial revenue bonds to finance a portion of the cost for their relocation to a new site and building.

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

RESOLUTION NO. 79-102

RESOLUTION RELATING TO A PROJECT UNDER
THE MUNICIPAL INDUSTRIAL DEVELOPMENT ACT;
CALLING FOR A PUBLIC HEARING THEREON

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

Section 1. Recitals.

1.01. Aero Precision Engineering Co., a Minnesota corporation (hereinafter the Corporation), has advised this Council of its desire to acquire approximately ten (10) acres of land in the Cottage Grove Industrial Park in the City and to construct and equip thereon an office and manufacturing facility to be used by the Corporation in its business of manufacturing computer components.

1.02. The City is authorized by Minnesota Statutes, Chapter 474 (the Act), to issue its revenue bonds to finance capital projects consisting of properties used and useful in connection with a revenue-producing enterprises. The Corporation has requested that the City issue its revenue bonds in an amount not exceeding \$1,500,000 to finance a portion of the cost of the Project.

Section 2. Public Hearing.

2.01. Section 474.01, Subdivision 7b of the Act requires that prior to submission of an application to the Minnesota Commissioner of Securities requesting approval of the Project as required by Section 474.01, Subdivision 7a of the Act, this Council shall conduct a public hearing on the proposal to undertake and finance the Project. Pursuant to that provision, a public hearing on the proposal to undertake and finance the Project is called and shall be held on August 15, 1979, at 7:30 o'clock p.m., at City Hall, 7516 80th Street South.

2.02. The City Clerk Administrator shall cause notice of the public hearing to be published in the official newspaper of the City and in the St. Paul Dispatch at least once not less than fifteen (15) nor more than thirty (30) days prior to the date fixed for the hearing, such notice to be in substantially the following form:

Council Mtg July 18, 1979

Page 4

NOTICE OF PUBLIC HEARING ON A PROPOSED PROJECT
AND THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE
BONDS UNDER THE MUNICIPAL INDUSTRIAL DEVELOPMENT
ACT, MINNESOTA STATUTES, CHAPTER 474, AS AMENDED

CITY OF COTTAGE GROVE, MINNESOTA

NOTICE IS HEREBY GIVEN, that the City Council of the City of Cottage Grove, Minnesota, will meet on August 15, 1979, at 7:30 o'clock p.m., at the City Hall, 7516 80th Street South, in Cottage Grove, Minnesota, for the purpose of conducting a public hearing on a proposal that the City issue revenue bonds, in one or more series, under the Municipal Industrial Development Act, Minnesota Statutes, Chapter 474, as amended, in order to finance the cost of a project. The proposed project will consist of the acquisition of land in the Cottage Grove Industrial Park in the City and the construction and equipment thereon of an office and manufacturing facility to be used by Aero Precision Engineering Co. in its business of manufacturing computer components. The estimated total amount of the proposed bond issue is \$1,500,000, and interest thereon shall be payable solely from the revenue pledged to the payment thereof, except that such bonds may be secured by a mortgage and other encumbrance on the project. No holder of any such bond shall ever have the right to compel any exercise of the taxing power of the City to pay the bonds or the interest thereon, nor to enforce payment against any property of the City except the project.

A draft copy of the proposed application to the Minnesota Commissioner of Securities for approval of the Project, together with all attachments and exhibits thereto, is available for public inspection at the office of the City Clerk Administrator between the hours of 8:00 a.m. and 5:00 p.m.

All persons interested may appear and be heard at the time and place set forth above.

Dated this 18th day of July, 1979.

BY ORDER OF THE CITY COUNCIL

By s/Carl F. Meissner
City Clerk

2.03. A draft copy of the proposed application to the Minnesota Commissioner of Securities, together with all attachments and exhibits thereto, has been presented to this Council and is hereby approved. Such application, attachments and exhibits are hereby ordered placed on file at the office of the City Clerk Administrator, and shall be available for public inspection, following the publication of the notice of public hearing, between the hours of 8:00 a.m. and 5:00 p.m.

Passed this 18th day of July, 1979.

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 Hammero, Councilman Amundson, Councilman McHattie, 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 Community Club for a set-up license be approved made by Councilman McHattie. Seconded by Councilman Hammero. Carried 3 ayes, one nay, Councilman Amundson voting nay.

Mrs. Farouk Sos appeared before the Council requesting an extension of time regarding the filing of an application for SAC refund claims.

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

ORDINANCE NO. 312

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA,
AMENDING ORDINANCE NO. 306 TO EXTEND THE DATE FOR
FILING SAC REFUND CLAIMS

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

SECTION 1. AMENDMENT. Section 4.012 of Cottage Grove Ordinance No. 306 shall be amended to read as follows:

4.012 All applications shall be signed and verified by the applicant and filed with the City Clerk no later than 5:00 p.m. on the 31st day of July, 1979. Applications filed after the 31st day of July, 1979, will not be considered for a refund and no refund will be paid to applicants filing thereafter.

SECTION 2. EFFECTIVE DATE. The ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 18th day of July, 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 Amundson, Councilman McHattie, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said ordinance was duly declared passed.

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

RESOLUTION NO. 79-103

RESOLUTION GRANTING CONDITIONAL USE PERMIT TO DENNIS
JERRY FOR A PLANNED UNIT DEVELOPMENT AT 6043 PT. DOUGLAS DRIVE

WHEREAS, Dennis Jerry has made application for a conditional use permit for a Planned Unit Development to be located on 7.7 acres at 6043 Pt. Douglas Drive in the City of Cottage Grove; and

WHEREAS, said conditional use is proposed to consist of a single family residence, a ceramic workshop, and a trailer rental and sales business; and

WHEREAS, the Planning and Zoning Commission of the City of Cottage Grove held a public hearing on said application on May 21, 1979, and recommended approval of said application,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that the application of Dennis Jerry for a conditional use permit for a Planned Unit Development consisting of a single family residence, a ceramic workshop, and a trailer rental and sales business to be located on 7.7 acres at 6043 Pt. Douglas Drive, shall be, and the same hereby is, approved.

Passed this 18th day of July, 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, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that the Council reconsider the action taken on the resolution granting a conditional use permit to Charles Lanners made at the July 3, 1979 special council meeting made by Councilman McHattie. Seconded by Councilman Amundson. Carried viva voce.

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

RESOLUTION NO. 79-104

RESOLUTION GRANTING CONDITIONAL USE PERMIT TO
CHARLES LANNERS FOR A POLE BARN

WHEREAS, Charles Lanners has made application for a conditional use permit to construct a pole barn on property located at 10747 Lehigh Road in the City of Cottage Grove; and

WHEREAS, the Planning and Zoning Commission of the City of Cottage Grove held a public hearing on said application on May 21, 1979, and recommended approval of said application subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that the application of Charles Lanners for a conditional use permit to construct and erect a pole barn on property located at 10747 Lehigh Road shall be, and the same hereby is, approved, with the hereinafter stated conditions:

1. That said pole barn be earth-tone in color;
2. That said pole barn be no larger than 1,024 square feet;
3. That no commercial activities or warehousing be allowed at, in, or near the barn or on the premises.

Passed this 18th day of July, 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 McHattie, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

The Council reviewed the Parks, Recreation and Natural Resources Commission minutes of July 2, 1979 as to soccer field use and needs for 1980.

Motion that the Council accept the recommendation of the Parks, Recreation and Natural Resources Commission and that the Attorney be directed to prepare an ordinance change regarding park dedication fees for commercial and industrial properties made by Councilman Amundson. Seconded by Councilman Hammero. Carried 3 ayes, one nay, Mayor Peterson voting nay.

Motion that the Council include in the City's capital improvement plan the construction of tennis courts at East Cottage Grove for 1981 made by Councilman McHattie. Seconded by Councilman Hammero. Carried viva voce.

The Council discussed the operation of Warner Lembke and his conditional use permit which was issued in February of 1979.

Motion that the Council set a public hearing to discuss the amending and/or revocation of the conditional use permit issued to Warner Lembke in January of 1979, and that said hearing be held on the 15th day of August, 1979, at 7:30 p.m. made by Councilman Amundson. Seconded by Councilman McHattie. Carried viva voce.

The Council reviewed the Public Health, Safety and Welfare Commission minutes of July 10, 1979.

Motion that the Council authorize and order the installation of a dead-end sign to be placed on Lockridge Avenue South in the Countrywood Addition made by Councilman Hammero. Seconded by Councilman McHattie. Carried viva voce.

Staff was directed to write to the residents living in Countrywood Addition and Pine Coulee Addition advising them of the rationale the Council is using in not installing "watch-for-children" signs.

The Council reviewed the report regarding the Cub Supermarket location and recommendation from the Public Safety Commission. No action taken.

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

RESOLUTION NO. 79-105

RESOLUTION ESTABLISHING STOP SIGN LOCATIONS IN
THE CITY OF COTTAGE GROVE AND AUTHORIZING FOR THE INSTALLATION THEREOF

WHEREAS, a study has been made by the Public Health, Safety and Welfare Commission for the establishing and installation of stop signs in various locations in the City of Cottage Grove, and

WHEREAS, it is the recommendation of the Public Health, Safety and Welfare Commission and administrative staff that in the best interest of the public health, safety and welfare of the citizens of Cottage Grove that stop signs be established and installed in certain locations in the City of Cottage Grove, now

THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that said Council thereby finds and determines that it is in the best interest of the public health, safety and welfare of the citizens of Cottage Grove to establish and install stop signs in the following locations:

1. Stop Janero Avenue South at 90th Street South
2. Stop Jasmine Circle South at 90th Street South (both intersections)
3. Stop Hillside Trail both ways at Jamaca Avenue South
4. Stop Ivywood Avenue South at Hillside Trail
5. Stop Ivan Avenue South at Hillside Trail
6. Stop Isle Avenue South at Hillside Trail
7. Stop Hillside Trail at Isle Avenue South
8. Stop 94th Street South at Hadley Avenue South
9. Stop Isle Avenue South at 88th Street South
10. Stop 68th Street South at Idsen Avenue South
11. Stop 66th Street Court at Ideal Avenue South
12. Stop 66th Street South at Ideal Avenue South
13. Stop Hyde Avenue South at Ideal Avenue South
14. Stop Homestead Avenue South at Ideal Avenue South

BE IT FURTHER RESOLVED, that the Director of Public Works is hereby directed to install the aforescribed stop signs.

Passed this 18th day of July, 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 Hammero, Councilman McHattie, Councilman Amundson, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

The Council reviewed the letter which the Public Safety Commission received from Mrs. Michael Hayes, regarding her request for the installation of a stop light at the intersection of Hinton Avenue and 80th Street South. The Council was advised that this type of sign would cost approximately \$40,000.00. It was the consensus of the Council that this type of installation was not warranted nor could it be afforded at this time.

Motion that Change Order Nos. 2 and 3 regarding the construction of sewer and water extensions in Woodridge Addition be approved in the following amounts: Change Order No. 2 - add of \$6,515.49 and Change Order No. 3 - deduct of \$5,010.00, made by Councilman Amundson. Seconded by Councilman McHattie. Carried viva voce.

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

RESOLUTION NO. 79-106

RESOLUTION ACCEPTING WORK AND AUTHORIZING FINAL PAYMENT
FOR THE INSTALLATION OF SANITARY SEWER, STORM SEWER, AND WATER MAIN
IN THE WOODRIDGE ADDITION AND ON 90TH STREET SOUTH

WHEREAS, pursuant to a written contract signed with the City of Cottage Grove, Barbarosa and Sons, Inc., has satisfactorily completed the construction of storm sewer, sanitary sewer and water main and housing services within the City of Cottage Grove in accordance with such contract, and

WHEREAS, the City Engineer has advised the Council that all work has been done in conformance with the signed agreement and has recommended that final payment be made, now

THEREFORE, BE IT RESOLVED, by the City 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 \$44,508.86.

Passed this 18th day of July, 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 McHattie, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

The Council reviewed a report, dated July 10, 1979, from the Engineer regarding the storm sewer drainage in the Highlands Addition. No action taken.

The Council reviewed the report from the Attorney regarding the Pinetree Pond East water and sewer extension contract.

Motion that the City Council waive the provision in the contract limiting the amount of subletting for the Pinetree Pond East Addition, made by Councilman McHattie. Seconded by Councilman Hammero. Carried viva voce.

The Council reviewed the report from Ms. Anne Hurlburt regarding the Section 8 Moderate Rehabilitation Program. Councilman Amundson introduced the following resolution and moved for its adoption:

RESOLUTION NO. 79-107

RESOLUTION AUTHORIZING THE METROPOLITAN COUNCIL
TO APPLY FOR SECTION 8 MODERATE REHABILITATION FUNDS
FOR IMPLEMENTATION WITHIN THE CITY OF COTTAGE GROVE

WHEREAS, the Metropolitan Council has been duly organized pursuant to Minnesota Statutes 473.06, Subd. 3 and Minnesota Laws 1975, Chapter 13, Section 6, Subd. 3; Section 21, Subd. 1; and Section 24, and has all of the powers and duties of a housing and redevelopment authority pursuant to Laws 1975, Chapter 13, Section 24 under the provisions of the Municipal Housing and Redevelopment amendatory thereof, and

WHEREAS, the City of Cottage Grove and the Metropolitan Council desire to assist lower income families and individuals to obtain adequate housing in the City of Cottage Grove at a price they can afford, and to accomplish this purpose desire to apply for federal funds to undertake a program of subsidizing rent payments to landlords who provide adequate housing to such individuals and families.

WHEREAS, the City of Cottage Grove and the Metropolitan Council desire to encourage the stabilization, revitalization and rehabilitation of the rental property in the City of Cottage Grove so that it may continue to provide adequate housing, and

WHEREAS, the City of Cottage Grove has determined that a program to encourage the rehabilitation of the rental units is consistent with the housing goals of the City, now

THEREFORE, BE IT RESOLVED, by the City of Cottage Grove, County of Washington, State of Minnesota, that the Metropolitan Council is hereby authorized to include the City of Cottage Grove in its application for federal funds to implement a Section 8 Moderate Rehabilitation Program to encourage rehabilitation and to provide rental assistance to lower income families, and that

Council Mtg July 18, 1979

Page 11

upon federal approval of such application, the City of Cottage Grove and the Metropolitan Council will enter into an agreement for operating the program within the City.

Passed this 18th day of July, 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, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that the earnest money contract for the sale of certain property located in part of out-lot A, Highlands 1st Addition be approved and that the Mayor and Clerk are hereby authorized to sign said contract made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voc

Motion that the resignation of Ronald Simons from the Economic Development Commission be accepted and approved and that the Clerk is hereby directed to send the necessary letter and certificate of appreciation to Mr. Simons made by Councilman Hammero. Seconded by Councilman McHattie. Carried viva voce.

The Council was made aware of the special seminar to be conducted by the Association of Metropolitan Municipalities regarding the new levy limit laws.

Motion that the bills as presented be allowed made by Councilman Hammero. Seconded by Councilman Amundson. Carried 3 ayes, one nay, Councilman Amundson voting nay.

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

The meeting adjourned at 10:15 p.m.

Respectfully submitted,



CARL F. MEISSNER
Clerk Administrator