

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 September, 1979 at 7:30 o'clock p.m.

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

And the following were absent: None

Mayor Peterson presided.

The minutes of the August 15th, 1979 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the August 22, 1979 special meeting were reviewed. There being no additions or corrections, they were approved as mailed.

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

RESOLUTION NO. 79-118

RESOLUTION APPROVING CONSENT ITEMS ON CITY
COUNCIL AGENDA OF SEPTEMBER 5, 1979

BE IT RESOLVED, that Resolution No. 79-119, Resolution of the City of Cottage Grove, Washington County, Minnesota, Regarding Revision of its Interim Comprehensive Sewer Plan; Ordinance No. 314, An Ordinance for the City of Cottage Grove, Minnesota, Amending Ordinance No. 249, Subdivisions, Relating to Conveyances by Metes and Bounds; and that a license application from Green Leaf Tree Service, Inc. for a tree removal contractor's license be approved.

Passed this 5th day of September, 1979.

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

The Mayor then introduced the Resolution Approving the Petition for Annexation of Certain Lands From the Township of Grey Cloud to the City of Cottage Grove.

Various persons appeared before the Council voicing their opinions either in favor or against the proposed petition.

Motion that the Resolution Approving the Petition for Annexation of Certain Lands from the Township of Grey Cloud to the City of Cottage Grove be tabled until January 31, 1980, and that a committee of elected officials be established to study this matter further made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried viva voce.

The Mayor then re-opened the Hearing regarding the Werner Lembke Conditional Use Permit.

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Various persons were called and gave testimony regarding this matter.
(NOTE: A complete tape recording of this hearing is on file in the office of the City Clerk.)

After the presentation of evidence by the City Attorney, the Attorney for Mr. Lembke requested an extension of time so that they may prepare a rebuttal.

Motion that the City Council continue the Hearing until September 19, 1979 at 7:30 p.m. made by Councilman Denzer. Seconded by Councilman McHattie. Motion 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 the application of the Cottage Grove Athletic Association for a Temporary "On-Sale" Nonintoxicating Malt Liquor License at the East Cottage Grove Ballfields on September 15 and 16, 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. 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 Athletic Association for a Temporary "On-Sale" Nonintoxicating Malt Liquor License at the East Cottage Grove Ballfields on September 15 and 16, 1979, be approved made by Councilman McHattie. Seconded by Councilman Denzer. 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 the application of the Cottage Grove Athletic Association for a Temporary "On-Sale" Nonintoxicating Malt Liquor License at the Majestic Ballroom Parking Lot on September 23, 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. 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 Athletic Association for a Temporary "On-Sale" Nonintoxicating Malt Liquor License at the Majestic Ballroom Parking Lot on September 23, 1979, be approved made by Councilman Denzer. Seconded by Councilman Hamero. 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 the application of the Knights of Columbus for a Temporary "On-Sale" Nonintoxicating Malt Liquor License at the East Cottage Grove Ballfields on September 8 and 9, 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. 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 Knights of Columbus for a Temporary "On Sale" Nonintoxicating Malt Liquor License at the East Cottage Grove Ballfields on September 8 and 9, 1979, be approved made by Councilman Denzer. Seconded by Councilman McHattie. Carried 4 ayes, one nay, Councilman Amundson voting nay.

Motion that the application for a Conditional Use Permit made by Washington County for a tree waste recovery site be approved and that the Attorney is hereby directed to prepare the necessary resolution made by Councilman Denzer. Seconded by Councilman McHattie. Carried viva voce.

Motion that the application by Russell Gausman for a Conditional Use Permit for an accessory building be approved subject to the following conditions:

1. The building shall not be used for any type of commercial activity or warehousing.
2. The exterior color, design and materials of the structure shall be similar to the principal structure. It shall not be of a pole barn type construction.

and that the Attorney is hereby directed to prepare the necessary resolution made by Councilman Hammero. Seconded by Councilman McHattie. Carried viva voce.

Motion that the application of the St. Paul Companies for a sign variance on that property described as that part of Sections 16, 17 and 20, Township 27 North, Range 21 West, Washington County, Minnesota commencing at the Sec. Cor. to Sections 16, 17, 20 and 21, Township 27 North, Range 21 West, Washington County, Minnesota; thence on an assumed bearing of due South along the Section line between Sections 20 and 21 for 199.8 feet to the northeasterly right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence North 52°09'22" West along said northeasterly railroad right-of-way for 222.45 feet to the point of beginning of this description; thence North 39°38'00" East for 569.16 feet to the southwesterly right-of-way of U.S. Highways 10 and 61; thence North 50°22'00" West along said southwesterly highway right-of-way for 2045.32 feet; thence South 38°50'38" West for 633.08 feet to said northeasterly railroad right-of-way; thence South 52°00'22" East along said northeasterly railroad right-of-way for 2037.50 feet to the point of beginning. Containing a gross acreage of 28.16 acres more or less, subject to a 60 foot wide frontage road paralleling and lying immediately southwest of said southwesterly right-of-way of U.S. Highways 10 and 61, and subject to a 25 foot wide utility easement paralleling and lying immediately southwest of said southwesterly limit of the frontage road, be approved subject to the following conditions:

1. The sign must be set back from the public right-of-way.
2. The sign must emphasize the features and availability of the entire industrial park as well as the fact that parcels owned by the St. Paul Companies are for sale.

3. The sign shall be properly maintained.

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

The Council considered the application of Mr. James Kinsey for a six (6) foot side yard set back variance.

Mr. Richard Ward appeared before the Council objecting to the proposed variance.

Motion that the application of Mr. James Kinsey for a six (6) foot side yard set back variance be denied because in the opinion of the Council, inadequate hardship exists, made by Councilman Amundson. Seconded by Councilman Hammero. Carried 4 ayes, one nay, Mayor Peterson voting nay.

Motion that the application of Mr. Alvin Goebel for a fifty-five (55) foot side yard set back variance to construct an agricultural accessory building on that property described as in the Northeast quarter of the Northeast quarter of Section 10, be approved made by Councilman Amundson. Seconded by Councilman McHattie. Carried 4 ayes, one nay, Councilman Denzer voting nay.

Mr. Mark Segroves appeared before the Council with a petition to have installed an underground storm sewer drainage system along Lots 4, 6, 7 and 10 of Block 1 of Woodridge Park Addition.

Mr. Segroves advised the Council that the sewer system, at the present time, was not functioning properly.

Motion that the Council accept the petition of Mr. Mark Segroves regarding the drainage problem in the Woodridge Park Addition and that said petition is hereby ordered placed on file in the office of the City Clerk and that the Engineer and Director of Public Works are hereby directed to review the condition and report back to the Council at the next regular meeting on September 19, 1979, made by Councilman Denzer. Seconded by Councilman McHattie. Carried viva voce.

The Council considered the application of Mr. William A. Glendenning for a rezoning of property located in Section 21 from R-4, Medium Density Residential to a classification of B-2, Retail Business.

Various homeowners living adjacent to the proposed land to be rezoned appeared before the Council objecting.

Motion that the application made by Mr. William A. Glendenning for a rezoning of certain property located in the Northwest quarter of Section 21 and being north of Highways 10 and 61, be denied and that the Attorney is hereby directed to prepare the necessary resolution with the rationale for denial, made by Councilman Denzer. Seconded by Councilman McHattie.

Motion that the foregoing motion be tabled, made by Councilman Denzer. Seconded by Councilman Amundson. Carried viva voce.

Motion that the Council accept the recommendation of staff and remove the assessments for land acquisition, utilities and street surfacing levied against part of Tract A, Registered Land Survey #25 (Parcel No. 28349-2050) on October 8, 1975 and accept \$9,000.00 for the payment of these assessments, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Motion that Ms. Judy Lane be appointed to the Parks, Recreation and Natural Resources Commission with the initial term to expire on January 2, 1981, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

The Council reviewed the Notice of Hearing from Northwestern Bell Telephone regarding the rate increase. No action taken.

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

RESOLUTION NO. 79-120

RESOLUTION ACCEPTING WORK AND AUTHORIZING
FINAL PAYMENT FOR 1979 SEAL COAT PROJECT

WHEREAS, pursuant to a written contract signed with the City of Cottage Grove, Allied Blacktop Construction Company has satisfactorily completed the 1979 street seal coat project 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 \$5,587.08.

Passed this 5th day of September, 1979

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

The Council reviewed the notice from School District 833 regarding the Community Education Meeting scheduled for September 18, 1979. No action taken.

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

Motion that the meeting be adjourned made by Councilman Hammero. Seconded by Councilman Denzer. Motion carried viva voce.

The meeting adjourned at 12:07 a.m., September 6, 1979.

Respectfully submitted,

Carl F. Meissner
CARL F. MEISSNER
Clerk Administrator

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 19 1979
Jan Anderson Howe
Secretary of State

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