

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 21st day of November, 1979 at 7:30 o'clock P.M.

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

And the following were absent: Councilman Amundson

Mayor Peterson presided over the meeting.

The minutes of the October 29, 1979 special meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the November 7, 1979 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the November 12, 1979 special meeting were reviewed. There being no additions or corrections, they were approved as mailed.

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

RESOLUTION NO. 79-165

RESOLUTION APPROVING CONSENT ITEMS ON CITY
COUNCIL AGENDA OF NOVEMBER 21, 1979

BE IT RESOLVED, that Resolution No. 79-166, Resolution Adopting 1980 Budget for the General Fund; Resolution No. 79-167, Resolution Adopting 1980 Budget for Debt Redemption Fund; Resolution No. 79-168, Resolution Adopting 1980 Budgets for Public Enterprise Funds; License Applications for Keith Ackerman for a General Contractor's License; and Cottage View Drive In for an Amusement License; be approved.

Passed this 21st day of November, 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 Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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

RESOLUTION NO. 79-169

A RESOLUTION AMENDING RESOLUTION NO. 77-182 AND REPEALING RESOLUTION NO. 79-19, A RESOLUTION ADOPTING RATES OF PAY AND OTHER CONDITIONS OF EMPLOYMENT FOR DEPARTMENT HEADS AND OTHER PERSONNEL NOT COVERED BY A LABOR AGREEMENT FOR THE CITY OF COTTAGE GROVE

32523

City Council Meeting
November 21, 1979

-2-

BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that Resolution No. 79-19 be repealed and that Resolution No. 77-182 be amended by changing the following Article:

ARTICLE I

Section 1.

| | |
|---|-------------------------------|
| Clerk Administrator | \$ 2,516.00 per month |
| Deputy Clerk/Treasurer | 1,713.00 per month |
| Director of Planning & Community Development | 2,085.00 per month |
| Director of Public Safety | 2,216.00 per month |
| Director of Public Works | 2,240.00 per month |
| Director of Parks & Recreation | 1,711.00 per month |
| Ice Arena Manager | 1,715.00 per month |
| Assessor/Building Inspector | 1,885.00 per month |
| Building Inspector/Code Enforcement Officer | 1,798.00 per month |
| Assistant Ice Arena Manager | 1,455.00 per month |
| Planning Aid | 1,178.00 - 1,315.00 per month |
| Director - Youth Service Bureau | 1,731.00 per month |
| Family Counselor | 1,130.00 - 1,200.00 per month |
| Individual Counselor | 1,260.00 per month |

ARTICLE II

Section 1. This resolution shall be retroactive to and become effective January 1, 1980, and shall remain in effect until amended by the City Council.

Passed this 21st day of November, 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 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 Margaret Loberman for a Kennel License be approved, made by Councilman Denzer. Seconded by Councilman Hammero. Motion carried viva voce.

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 assessments for the cost of water main, sanitary sewer and storm sewer improvements in the Woodridge Park 1st Addition and on 90th Street South. 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. Council was advised by the Attorney that the hearing was being held in compliance with all applicable laws. There being no further comments or objections the Mayor closed the hearing.

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

City Council Meeting
November 21, 1979

RESOLUTION NO. 79-170

RESOLUTION ADOPTING SPECIAL ASSESSMENTS FOR WATER MAIN, STORM
SEWER, AND SANITARY SEWER IMPROVEMENTS IN WOODRIDGE PARK
1ST ADDITION AND ON 90TH STREET SOUTH

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for water main, storm sewer, and sanitary sewer improvements in Woodridge Park 1st Addition and on 90th Street South, now

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

1. Such proposed assessment, a copy of which is attached hereto and made a part thereon, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby levied against it,
 2. Such assessment shall be payable in equal annual installments extending over a period of fifteen (15) years, the first of the installments to be payable on or before the first Wednesday in January, 1980 and shall bear interest at the rate of 8 percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 1980. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
 3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty (30) days of the adoption of this resolution; and he may, at any time thereafter, pay to the County Treasurer, the installment and interest in process of collection on the current tax list, and he may pay the remaining principal balance of the assessment to the treasurer.
- Such payment must be made before December 21st or interest will be charged through December 31st of the next succeeding year.
4. The Clerk shall file the assessment rolls pertaining to this assessment in his office and shall certify annually, to the County Auditor, on or before October 10th of each year, the total amount of installments and interest which are to become due on the following year on the assessment on each parcel of land included in the assessment roll.

Passed this 21st day of November, 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 Denzer, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

City Council Meeting
November 21, 1979

-4-

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 3M Trap and Skeet Club for an "On Sale" Non-intoxicating Malt Liquor License for 1980, 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 3M Trap and Skeet Club for an "On Sale" Non-intoxicating Malt Liquor License for 1980 be approved, made by Councilman McHattie. Seconded by Councilman Denzer. Motion carried viva voce.

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 Racquet Club for an "On Sale" Non-intoxicating Malt Liquor License for 1980, 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 Racquet Club for an "On Sale" Non-intoxicating Malt Liquor License for 1980 be approved, made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried viva voce.

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 Harry T. Sheldon's, Inc. restaurant for an "On Sale" Intoxicating Liquor License for 1980, 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 Harry T. Sheldon's, Inc. restaurant for an "On Sale" Intoxicating Liquor License for 1980 be approved, made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried viva voce.

The Clerk indicated to the Council that the Glendenning Farms had requested a postponement on their application for a rezoning until the December 5, 1979 Council meeting at which time a full Council would be present. Said request was agreed to by the Council.

City Council Meeting
November 21, 1979

-5-

Mr. William Wilson indicated to the Administrator that he could not be in attendance at this meeting regarding pedestrian, traffic, and vandalism on Hearthside Avenue South and requested that this matter be placed on the December 5, 1979 Council meeting for discussion.

Mr. Jerry Lucking appeared before the Council and advised them of his court case with respect to the SAC refund. Mr. Lucking took this matter to conciliation court and won the case, however, the City was awarded attorney's fees in the amount of approximately \$60.00.

The Council directed the Attorney to see if there was any way the money could be refunded to Mr. Lucking.

The Council reviewed a letter from a Mr. Joseph Williamson requesting an extension for the filing of the applications for a SAC refund.

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

ORDINANCE NO. 320

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA AMENDING
ORDINANCE NO. 313 TO EXTEND THE DATE FOR FILING REFUND CLAIMS
ON PREVIOUSLY UNCLAIMED SAC REFUNDS

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. 313 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 January, 1980. Applications filed after the 31st day of January, 1980 will not be considered for a refund and no refund will be paid to applicants filing thereafter."

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 21st day of November, 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, and Mayor Peterson. The following voted against the same: None. Whereupon said Ordinance was duly declared passed and adopted.

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

RESOLUTION NO. 79-171

A RESOLUTION ESTABLISHING WAGES FOR TEMPORARY AND
PART TIME EMPLOYEES AND REPEALING RESOLUTION NO. 79-18

City Council Meeting
November 21, 1979

-6-

BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that the following wages for temporary and part time employees be established:

ARTICLE I

Section 1.

Wages

| | | | |
|---|---------|---|---------------|
| Swimming Pool Manager | \$4.50 | - | 4.75 per hour |
| Assistant Swimming Pool Manager | \$4.00 | - | 4.25 per hour |
| Water Safety Instructor | \$3.50 | - | 3.75 per hour |
| Senior Lifesaver | \$3.10 | - | 3.25 per hour |
| Cashier - Swimming Pool | \$2.75 | - | 3.00 per hour |
| Maintenance - Swimming Pool | \$2.75 | - | 3.00 per hour |
| Park Ranger | \$2.90 | - | 3.50 per hour |
| Warming House Attendant | \$3.25 | - | 3.50 per hour |
| Playground Supervisor | \$4.00 | - | 4.50 per hour |
| Senior Playground Leader | \$3.50 | - | 3.75 per hour |
| Junior Playground Leader | \$2.90 | - | 3.10 per hour |
| Part-time Supervisor - Recreation | \$4.00 | - | 8.00 per hour |
| Tennis Program Instructor | \$4.50 | - | 8.00 per hour |
| Rec. Center Custodian | \$2.90 | - | 3.10 per hour |
| Student Labor - Public Works | \$3.25 | - | 3.50 per hour |
| Crew Chief - Public Works | \$4.00 | - | 4.15 per hour |
| Student - Office | \$3.10 | - | 4.25 per hour |
| Ice Guard - Ice Arena | \$2.90 | - | 3.75 per hour |
| Ticket Taker - Ice Arena | \$2.95 | - | 3.75 per hour |
| Security Officer - Ice Arena | \$5.00 | - | 7.00 per hour |
| Maintenance Person - Ice Arena | \$3.25 | - | 5.00 per hour |
| Maintenance Attendant - Ice Arena | \$2.90 | - | 4.00 per hour |
| Figure Skating Instructor | \$5.00 | - | 8.00 per hour |
| Scoreboard Operators | \$2.95 | | per hour |
| Golf Program Instructor | \$8.00 | | per hour |
| Gymnastics Program Instructor | \$4.00 | - | 8.00 per hour |
| Softball Official | \$10.00 | | per game |
| Basketball Official | \$8.50 | | per game |
| Volleyball Official | \$8.50 | | per game |
| Football Official | \$10.00 | | per game |

ARTICLE II

Policy

Section 1. All conditions of employment for temporary and part time employees as covered by this resolution, shall be those as outlined in Resolution No. 77-28.

ARTICLE III

Effective Date

Section 1. This resolution shall become effective on January 1, 1980 and shall remain in effect until amended by the City Council.

Passed this 21st day of November, 1979.

City Council Meeting
November 21, 1979

-7-

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

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

ORDINANCE NO. 321

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA,
AMENDING CHAPTER 2 OF THE CITY CODE ADDING SECTION 2-80
RELATING TO NOTICE OF SALE OF CITY PROPERTY

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

SECTION 1. AMENDMENT. "The Code of the City of Cottage Grove, Minnesota", shall be amended by adding "Chapter 2, Article V, Section 2-80", which shall provide as follows:

Sec. 2-80. Sale of Real Estate.

- (1) "Whenever, from time to time, the City deems it necessary to transfer real estate owned by the City, the Council shall cause to be published one notice in the designated legal newspaper for the City, and said notice shall contain the following:
 - (a) a legal description of the property, and a common description, including address, if available;
 - (b) that offers for the purchase of the property from the City are being considered;
 - (c) the last date an offer can be made to the City for the purchase;
 - (d) the date of the Council meeting where the offers received will be considered,

and said meeting shall not be sooner than thirty (30) days after the date of publication.

- (2) In addition to published notice, the notices shall be mailed to those property owners owning property within 500 feet of the property considered for transfer.
- (3) No hearing or notice shall be necessary where property is purchased for a specific purpose and is sold for that same purpose, such as for example, urban renewal or development or redevelopment projects.
- (4) The Council shall have the right to reject any or all offers for purchase submitted to the City, and decline the sale of the property until an acceptable offer is received."
- (5) For the purpose of giving mailed notice, owners shall be those shown to be

City Council Meeting
November 21, 1979

-8-

such on the records of the County Auditor; but other appropriate records may be used for this purpose. No error or omission in such mailing shall invalidate the Council proceedings.

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 21st day of November, 1979.

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

The Council received the report from the City Planner regarding the Wastewater Treatment Plant, which report was accepted, approved, and placed on file in the office of the City Clerk.

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

RESOLUTION NO. 79-172

RESOLUTION REQUESTING INCLUSION IN CABLE SERVICE TERRITORY
BY MINNESOTA CABLE COMMUNICATIONS BOARD

WHEREAS, the Minnesota Cable Communications Act (Minnesota Statutes, Chapter 238) and the regulations of the Cable Communications Board require that a Cable Service Territory be approved by the Cable Communications Board prior to the issuance of a municipal franchise to any cable communications company, and

WHEREAS, the City of Cottage Grove has appointed the Economic Development Commission as the citizens advisory committee on cable communications for the purpose of studying the cable communications needs of its citizens, which study may lead to the issuance of a municipal franchise, and

WHEREAS, the Economic Development Commission has recommended that the City of Cottage Grove be included in a Cable Service Territory, and

WHEREAS, the Council of the City of Cottage Grove has reviewed said recommendation and concurs therein;

NOW, THEREFORE, BE IT RESOLVED, that the City of Cottage Grove request the Minnesota Cable Communications Board to be included in the Cable Service Territory filed on September 14, 1979, by Capitol City Cablevision.

Passed this 21st day of November, 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 McHattie, Councilman Denzer, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

City Council Meeting
November 21, 1979

-9-

The Administrator advised the Council as to the estimated cost for condemning property on 80th Street South and the installation of utilities in the Belden/Highway 61 area due to the construction of the proposed overpass. A map was presented outlining all of the utilities.

Motion that the map as presented by the Administrator and the Engineer outlining the utilities be accepted as the official utilities map for the City as it relates to the Belden/Highway 61 overpass and also, that the Engineer transmit to the Minnesota Department of Transportation a copy of said map, made by Councilman Hammero. Seconded by Councilman Denzer. Motion carried viva voce.

Staff was directed to proceed with the condemnation of property along 80th Street South in a speedy and orderly manner.

The Council reviewed the minutes of the Human Services Commission of September 26 and October 24, 1979. The recommendations regarding the Comprehensive Housing Plan were referred to the Planning Department.

Motion that the Joint Powers Agreement between the Cities of St. Paul Park, Newport, Cottage Grove and the Town of Grey Cloud regarding the South Communities Youth Service Bureau be approved, and the Mayor and City Clerk are hereby authorized to sign said agreement, made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried viva voce.

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

RESOLUTION NO. 79-173

A RESOLUTION APPROVING SPECIFICATIONS FOR THE PURCHASE OF ONE (1) 1980 2½ TON TRUCK WITH DUMP BODY, TWO (2) 1980 VANS, AND TWO (2) 1980 ¾ TON PICK UPS

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

1. The specifications for the furnishing of one (1) 1980 2½ Ton Truck with Dump Body, two (2) 1980 Vans, and two (2) 1980 ¾ Ton Pick Ups heretofore prepared by the Director of Public Works for the City of Cottage Grove, and now on file in the office of the City Clerk are hereby approved as specifications in accordance with which the furnishing of the one (1) 1980 2½ Ton Truck with Dump Body, two (2) 1980 Vans, and two (2) 1980 ¾ Ton Pick Ups shall be made except as said specifications may be modified by further action of this Council, in accordance with law.

2. Sealed bids will be received in the office of the City Clerk until 10:00 A.M. on Thursday, December 20, 1979 at which time they will be publicly opened and read aloud. The City Council will meet at a later time for the purpose of awarding the contract for the furnishing of one (1) 1980 2½ Ton Truck with Dump Body, two (2) 1980 Vans, and two (2) 1980 ¾ Ton Pick Ups.

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

Passed this 21st day of November, 1979.

City Council Meeting
November 21, 1979

-10-

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 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 Council reviewed the letter from the Association of Metropolitan Municipalities. No action taken.

The Council discussed the meeting to be held on November 27, 1979 on the proposed Grey Cloud Annexation.

Staff was directed to advise Mr. Harvey Stiefel and the Grey Cloud Town Board that the Council could not be in attendance and that they would like this meeting re-scheduled.

Motion that the Subdivision Agreement between the C. G. Rein Company and the City of Cottage Grove regarding the Hinton Heights Addition be approved, and that the Mayor and City Clerk are hereby authorized to sign said agreement, made by Councilman Hammero. Seconded by Councilman Denzer. Motion carried viva voce.

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

Motion that the Council accept the resignation of Mr. Daniel Metcalf from the Planning and Zoning Commission and that the Clerk is hereby directed to send a letter and certificate of appreciation to Mr. Metcalf, made by Councilman Denzer. Seconded by Councilman McHattie. Motion 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 9:35 P.M.

Respectfully submitted,

Carl F. Meissner
Clerk Administrator

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 29 1979

Jean Anderson Howe
Secretary of State

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