

City Council Meeting
December 19, 1979

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made by Councilman Amundson, Seconded by Councilman McHattie. Motion carried viva voce.

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

RESOLUTION NO. 79-175

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL
AGENDA OF DECEMBER 19, 1979

BE IT RESOLVED, that Resolution No. 79-176, a Resolution Granting Conditional Use Permit to Burger King for a Restaurant; Resolution No. 79-177, a Resolution Granting Conditional Use Permit to Disk-Tec Inc., for Manufacturing Facility in a "B-2" Zone; Resolution No. 79-178, a Resolution Granting Conditional Use Permit to W. K. Fritze for Erection of a Residential Garage on Property Zoned "B-2"; Resolution No. 79-179, a Resolution Granting Conditional Use Permit to Cottage Grove Motors for Outdoor Auto Sales Lot; and license applications from Sarni Plumbing & Heating for a heating contractor's license; Rocon Construction Company, Inc. for a general contractor's license; Enerjac for a general contractor's license; Bob Rosenthal for a general contractor's license; and Cheep Skate Inc. for an amusement license, be approved.

Passed this 19th day of December, 1979.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman Denzer. Upon voting being taken thereon, the following voted in favor thereof: Councilman McHattie, Councilman Denzer, Councilman Amundson, and Acting Mayor Hammero. 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 application of Cottage Grove Community Club for an "On Sale" Special Club 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 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 Cottage Grove Community Club for an "On Sale" Special Club Non-intoxicating Malt Liquor License for 1980 be approved, made by Councilman McHattie. Seconded by Councilman Denzer. Motion carried 3 ayes, 1 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 Boondock's Tavern, Inc. 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.

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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 Boondock's Tavern, Inc. for an "On Sale" Non-intoxicating Malt Liquor License for 1980 be approved, made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried, 3 ayes, 1 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 Majestic Ballroom 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 Majestic Ballroom for an "On Sale" Non-intoxicating Malt Liquor License for 1980 be approved, made by Councilman McHattie. Seconded by Councilman Denzer. Motion carried 3 ayes, 1 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 Sal's Pizza 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 Sal's Pizza for an "On Sale" Non-intoxicating Malt Liquor License for 1980 be approved, made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried 3 ayes, 1 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 Plaza Liquors, Inc. for an "Off 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.

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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 then closed the Hearing.

Motion that the application of Plaza Liquors, Inc. for an "Off Sale" Intoxicating Liquor License for 1980 be approved, made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried 3 ayes, 1 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 Cottage Grove Liquors for an "Off 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 Cottage Grove Liquors for an "Off Sale" Intoxicating Liquor License for 1980 be approved, made by Councilman McHattie. Seconded by Councilman Denzer. Motion carried, 3 ayes, 1 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 VFW Post #8752 for an "On Sale" Special Club and Sunday Special Club 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 VFW Post #8752 for an "On Sale" Special Club and Sunday Special Club Intoxicating Liquor License for 1980 be approved, made by Councilman Denzer. Seconded by Councilman Amundson. Motion carried, 3 ayes, 1 nay. Councilman Amundson voting nay.

Mr. Patrick Scully representing Hastings Sanitary Disposal, Inc. appeared before the Council requesting that he be allowed to increase the fees charged for residential pick up from \$5.00 per month to \$6.50 per month.

Motion that the Council approve the request of Hastings Sanitary Disposal, Inc. to increase their fee for garbage and rubbish pick up to \$6.50 per month, made by Councilman Amundson. Seconded by Councilman Denzer. Motion carried viva voce.

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Motion that the application of Burger King for a building permit be approved with the condition that the landscaping be completed within the first growing season, made by Councilman Amundson. Seconded by Councilman McHattie. Motion carried viva voce.

The Council reviewed the application of Roger Howard for approval of a preliminary plat.

Mayor Peterson arrived at 8:06 P.M.

Motion that the application of Roger Howard for a preliminary plat be approved subject to the following conditions:

1. That the following variances be approved:
 - a. A variance from the subdivision regulations in order to allow a cul-de-sac longer than 600 feet. The cul-de-sac will be temporary, with provisions made to allow Granada Avenue to continue through the subdivision.
 - b. Lot #2 on Block 1 does not meet the minimum of 180 feet width at the setback line and, therefore, any dwelling on this parcel must be set back until the lot width is at 180 feet.
 - c. A variance must be granted from Section 28-28(b) of the City Code in order to allow 1½ acre parcels. Soil borings and percolation tests made by R. E. Machmeir, a soil scientist, prove that the soils tested are ideally suited for on-site sewage treatment systems, and that 1½ acre sites will provide adequate room for these systems.
 - d. A variance from the provisions of Resolution No. 74-104 must be issued based on the findings that the developer has proven that divergence from the rural land development policy will not cause any unreasonable burden on the City in providing services or utilities or cause detrimental impact on the natural environment. It has been found that there will be no burden placed on the traffic system because of the one, safe entrance to 70th Street South that will serve all 12 lots. Provision has been made for logical extension of the local street system through the subdivision. The subdivision is located approximately two (2) miles from both police and fire protection. Emergency vehicle access will be by way of major streets so that response times will be acceptable. No major extension of public sewer and water facilities will be necessary to serve this development. Soils have been found to be adequate for on-site waste treatment systems. The drainage pattern and the sewer plan for the City further indicate that it may be neither possible or probable to ever serve this area with sewer facilities.
2. A park dedication fee of \$275.00 per unit shall be required of the developer.
3. The road shall be constructed according to City specifications and shall be blacktopped. No more than 3 lots may be developed fronting on a temporary gravel road. The developer may post a bond or cash escrow to

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guarantee that the road shall be constructed or he may contract to have the road constructed to City specifications.

4. Boulevard trees shall be required.

and that the Attorney is hereby directed to prepare the necessary resolution made by Councilman McHattie. Seconded by Councilman Hammero. Motion carried, 4 ayes, 1 nay. Councilman Amundson voting nay.

Motion that the application of Axel Bloomquist for a Minor Subdivision be approved subject to the following conditions:

1. No side yard variances for parcel "a" shall be considered.
2. A road access easement extending from the north line of parcel "A" through both lots to the south line of parcel "B", parallel to County Road 19 shall be shown on the Certificate of Survey. This easement shall be 60 feet in width and shall not be contained in the existing County Road easement.
3. The park dedication fee of \$275.00 per lot shall be paid prior to recording of the subdivision.
4. Only one (1) driveway for both lots be allowed to connect to County Road 19.

and that the Attorney is hereby directed to prepare the necessary resolution, made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried viva voce.

Dr. Russell Susag representing Minnesota Mining and Manufacturing Company appeared before the Council to discuss the company's Special Use Permit for a landfill operation.

Dr. Susag advised the Council as to what action 3M Company has taken to alleviate the dumping problem, and also the results of tests that have been taken and made on the leachate and at the various well sites within the complex. All testing showed to be below the limits of the equipment being used.

It was the request of Minnesota Mining & Manufacturing Company that Section 6 of Resolution No. 78-107 be amended to delete that portion requiring the removal of the waste material from the landfill site.

The Attorney advised 3M Company that they should apply for a permanent landfill permit as was provided by this section.

No action taken by the Council.

The Council reviewed the recommendation from the Public Works Commission recommending that the City continue to require Standard Section Surmountable Type "C" curb when constructing streets in residential areas.

No further action taken by the Council.

The Council reviewed the recommendation of the Public Health, Safety and Welfare Commission to construct a stop sign on Point Douglas Road at Harkness (Mid America Bldg) and remove the yield sign on Harkness.

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Motion that the Council request the City Attorney to prepare the necessary resolution providing for the installation of a stop sign on Point Douglas Road at Harkness Avenue South, made by Councilman Hammero. Seconded by Councilman Amundson.

Motion that the foregoing motion be tabled and this matter referred back to the Public Safety Commission, made by Councilman Denzer. Seconded by Councilman Hammero. Motion carried viva voce.

Motion that a resolution be prepared requesting the St. Paul Dispatch/Pioneer Press to include Cottage Grove news in the East Area Section of the Dispatch and that all residents of the City of Cottage Grove who subscribe to the St. Paul Dispatch be included in the delivery area of the East Area Section of the Dispatch, made by Mayor Peterson. Seconded by Councilman Amundson. Motion carried viva voce.

The Council reviewed the staff report on the vandalism in the Harkness/Hillside area and the extension of the fence at the Grove Plaza Shopping Center.

Motion that staff be directed to send a letter to Simon & Associates requesting that a fence be extended along their north property line, made by Councilman Hammero. Seconded by Councilman Amundson. Motion carried viva voce.

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

RESOLUTION NO. 79-180

A RESOLUTION AWARDED BID FOR EMPLOYEE MEDICAL AND LIFE INSURANCE

WHEREAS, the City Council approved specifications for medical and life insurance and ordered the taking of bids thereon, and

WHEREAS, sealed bids were received on the 28th day of November, 1979, at which time they were publicly opened and read aloud, and

WHEREAS, it appears that Great West Life Assurance Company is the lowest responsible bidder,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Cottage Grove, County of Washington, State of Minnesota, that the proper City officials are hereby authorized and directed to enter into a contract as provided by law with Great West Life Assurance Company to provide health and life insurance to the City employees at a rate of \$28.15; for dependent coverage \$49.50; and for life insurance 41¢ per thousand dollars (\$1,000.00).

Passed this 19th day of December, 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, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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Motion that the Council approve the Labor Agreement between the Office Employees and the City of Cottage Grove, made by Councilman McHattie. Seconded by Councilman Denzer. Motion carried viva voce.

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

RESOLUTION NO. 79-181

RESOLUTION AMENDING RESOLUTION NO. 77-28, A RESOLUTION ADOPTING PERSONNEL SYSTEM POLICIES FOR THE CITY OF COTTAGE GROVE

WHEREAS, the City Council adopted by Resolution No. 77-28, "Personnel System Policies" for the City of Cottage Grove, and

WHEREAS, certain of the policies must be amended to meet the changes that have occurred in the city's operation, now

THEREFORE, BE IT RESOLVED, by the Council of the City of Cottage Grove, Washington County, Minnesota, that Resolution No. 77-28 be amended as follows:

SECTION 14

INSURANCE PROGRAMS, RETIREMENT, OTHER BENEFITS

- A. Medical Insurance: The City shall pay the premiums for group hospitalization, surgical and medical insurance for all permanent full-time employees and that percentage of the premium for eligible dependent coverage as negotiated yearly by the City, with the employees paying the remaining premiums. Permanent part-time employees working over twenty (20) hours per week shall receive fifty (50%) percent of health and welfare benefits; employees working over thirty (30) hours per week shall qualify for the same benefits as those available to permanent full-time employees. Health care benefits are terminated once the individual is no longer in pay status, but may be continued for an indefinite period at the employee's expense.

SECTION 15

PAY PROCEDURES

- A. Pay Date(s): City employees shall be paid on a bi-weekly basis effective January 1, 1980. The first pay period will be from January 1, 1980 to and including January 13, 1980 and thereafter every two (2) weeks. The first pay date will be on January 18th and thereafter every two (2) weeks. When a pay date falls upon an official holiday, employees shall receive their pay check the preceding work day.

Passed this 19th day of December, 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

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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.

Motion that the following people be appointed Commission Chairmen for 1980:

Thomas D. Hoult	- Public Safety Commission
Russell Sparks	- Human Services Commission
Jeff Skoog	- Public Works Commission
Glen Brown	- Planning & Zoning Commission
Corrie Bloedel	- Parks and Recreation Commission

made by Councilman Hammero. Seconded by Councilman Amundson. Motion carried viva voce.

Motion that Mr. Felix Deneau and Mrs. Jerri McMahon who have indicated that they do not wish to be re-appointed to the Human Services Commission, be sent letters and Certificates of Appreciation, made by Councilman Denzer. Seconded by Councilman Amundson. Motion carried viva voce.

Motion that the following people be re-appointed for three (3) year terms in the various commissions:

Thomas D. Hoult	- Public Safety Commission
Stephen Koehn	- Parks and Recreation Commission
Joseph Schnide	- Parks and Recreation Commission
John Lombard	- Parks and Recreation Commission
James Wolcott	- Planning and Zoning Commission
Dorothy Lind	- Human Services Commission
Rod Lehrke	- Economic Development Commission
Gregg Anderson	- Economic Development Commission

made by Councilman Denzer. Seconded by Councilman McHattie. Motion carried viva voce.

Motion that a letter be sent to Mr. Lyle C. Puppe inviting him to the next regular meeting of the Public Safety Commission as a prospective member, made by Councilman Hammero. Seconded by Councilman Denzer. Motion carried viva voce.

Motion that a letter be sent to Mr. Robert Solberg inviting him to the next regular meeting of the Public Works Commission as a prospective member, made by Councilman Denzer. Seconded by Councilman Hammero. Motion carried viva voce.

Motion that a letter be sent to Mr. Ken Wiemann inviting him to the next regular meeting of the Planning and Zoning Commission as a prospective member, made by Councilman McHattie. Seconded by Councilman Denzer. Motion carried, 4 ayes, 1 nay. Councilman Amundson voting nay.

Mayor Peterson issued a proclamation declaring Saturday, January 26, 1980 to be Cottage Grove SSS Snowmobile Club Day in their effort to raise money to combat multiple sclerosis.

Motion that the agreement between the Thompson Grove Fire Department and the City of Cottage Grove regarding the taking over of it's operation by the City, be approved and the Mayor and Clerk are hereby authorized to sign said agreement, made by Councilman Amundson. Seconded by Councilman Hammero. Motion carried viva voce.

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Motion that the Council approve the contract with the firm of Darrell K. Morse and Associates, Ltd. to provide legal services for 1980 and the Mayor and Clerk are hereby authorized to sign said agreement, made by Councilman Amundson. Seconded by Councilman McHattie. Motion carried viva voce.

Motion that the sub-contract for services between the Forest Lake Area Youth Service Bureau and the South Communities Youth Service Bureau be approved and that the Mayor and Clerk are hereby authorized to sign said agreement, made by Councilman Amundson. Seconded by Councilman Denzer. Motion carried viva voce.

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

RESOLUTION NO. 79-182

A RESOLUTION COMMENDING RALPH MCHATTIE FOR HIS SERVICE
TO THE COMMUNITY

WHEREAS, Ralph McHattie was appointed to serve on the Town of Cottage Grove's Planning Commission and served in that capacity until he was appointed on October 1, 1969 to the Council of the Village of Cottage Grove to fill an unexpired term and thereafter was elected to the office of Councilman and served in that capacity until December 31, 1979, and

WHEREAS, during the time of his service to the City of Cottage Grove, the Council has been faced with and solved the enumerable problems resulting in the transition from a rural to an urban community, and

WHEREAS, Ralph McHattie has contributed tirelessly and unselfishly of his time, talents and energy and has in doing so, contributed immeasurably to the successful administration of government in the Town, Village, and 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, in grateful recognition of his selfless service, Ralph McHattie be officially commended hereby and the thanks of this Council and of the entire community for his contribution be hereby extended.

Passed this 19th day of December, 1979.

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

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

The Clerk was directed to place on the January 16, 1980 City Council agenda discussion on the terms of Commission members.

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Motion that the meeting be adjourned, made by Councilman McHattie. Seconded by Councilman Hamnero. Motion carried viva voce.

The meeting adjourned at 10:25 P.M.

Respectfully submitted,

Carl F. Meissner

Carl F. Meissner
Clerk Administrator

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 28 1979

Jan Anderson Howe
Secretary of State

#32570

O.D.