

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 16th day of April, 1980, at 7:30 o'clock P.M.

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

And the following were absent: None

Mayor Peterson presided at the meeting.

The minutes of the April 1, 1980 Special Meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the April 2, 1980 Regular 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. 80-45

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL
AGENDA OF APRIL 16, 1980

BE IT RESOLVED, that Resolution No. 80-46, Resolution Granting Conditional Use Permit for Drive-In Ice Cream Shop; Resolution No. 80-47, Resolution Approving Preliminary Plat for Gregg D. Klohn; and that a license application from David G. Larson for a Solicitor's License, be approved.

Passed this 16th day of April, 1980.

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

Mr. Jerry Pelletier, Vice President of Ryan Development, Inc., appeared before the Council requesting a variance on the location of fire hydrants in the Woodmount Townhouse Development.

Motion that the application of Ryan Development, Inc. to delete two (2) fire hydrants in the Woodmount Townhouse Addition which were requested by the Fire Marshall, be denied, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

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Councilwoman Berndt introduced the following resolution and moved for its adoption:

RESOLUTION NO. 80-

RESOLUTION GRANTING CONDITIONAL USE PERMIT TO JOAN PASQUALE
FOR A PET SHOP

WHEREAS, Joan Pasquale has made application for a Conditional Use Permit to operate a pet shop in the Grove Plaza Shopping Center, said Shopping Center being zoned B-2; and

WHEREAS, the Planning and Zoning Commission of the City of Cottage Grove held a Public Hearing on said application on March 24, 1980, pursuant to published notice thereof, and recommended approval of said application, subject to certain conditions; and

WHEREAS, the City Council of Cottage Grove considered the application on April 2, 1980, and received comments from the public and the applicant, her attorney, and the attorney for an adjoining business; and

WHEREAS, the proposed use will not cause a traffic hazard or congestion; and

WHEREAS, the adjacent land will not be adversely affected because of traffic generation, noise, glare or other nuisance characteristics,

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 Joan Pasquale, for a Conditional Use Permit for a pet shop to be located in the Grove Plaza Shopping Center, located at 7280 Pt. Douglas Drive South, upon the lands hereinafter described:

The Southwesterly 50 feet of Lot 5, Block 2; all of Lots 6, 7, 8, 9, and 10, Block 2; Lots 1, 2, 3, 4, 5, 8, 9, 10 and 11, Block 1; all being in the St. Paul Acre Lots Addition, Washington County, Minnesota.

shall be, and the same hereby is, approved, subject to the hereinafter stated conditions:

1. That a ventilation system to control odors be provided, if necessary, on recommendation of the City Health Officer.
2. That the front of the store be enclosed, if necessary, on recommendation of the City Health Officer.
3. That no refuse will be stored on the premises.
4. That no cats, dogs, or puppies shall be kept for sale.
5. That no cages or displays shall be kept in the mall area outside of the store.
6. That the City Health Officer shall inspect the shop periodically as to the humane care and treatment of pets.

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7. That the pet store shall be kept in a sanitary condition to control odors so as not to become a nuisance.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman Hamnero.

Motion that the foregoing resolution be amended by adding condition No. 8 that the sheetrock wall between the proposed pet store and Sal's Pizza be patched, taped, and made as air tight as possible, made by Mayor Peterson. Seconded by Councilman Amundson. Carried viva voce.

Motion that the foregoing resolution be amended to change condition No. 1 to read as follows:

1. That a ventilation system to control odors be provided.

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

Upon vote being taken on the resolution as amended, the following voted in favor thereof: Councilman Hamnero, Councilman Denzer, and Mayor Peterson. The following voted against the same: Councilwoman Berndt and Councilman Amundson. Motion failed, 3 ayes, 2 nays. (Requires 4/5 vote for passage)

Motion that the Council accept the recommendation of the Public Safety Commission in reference to the driveway into the Kindercare Center and that staff work with Kindercare in regards to this matter, made by Councilman Denzer. Seconded by Councilman Hamnero. Carried viva voce.

Motion that the Council accept the recommendation of the Public Safety Commission as regards the signing on 74th Street South and Hyde Avenue South with "Blind Intersection" signs, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Motion that the plans for the proposed parking lot in the Woodridge Park be referred to the Public Safety Commission and the Parks and Recreation Commission members and other City staff for review with the intent that these people look at the possibility of moving the parking lot towards 90th Street South, made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

The Council discussed the off-site improvements to be completed in the Rolling Hills Addition.

Motion that the Council accept the recommendation of the City Attorney and that a Declaratory Judgement action be commenced against Reeder Development, IDS, Woodbury Realty, and M-f & R, Inc. to determine the respective rights and obligations of the parties under the different agreements that have been entered into with the City, made by Councilman Amundson. Seconded by Councilman Hamnero. Carried viva voce.

Motion that the Council authorize the Director of Public Works to post 100th Street South from Jamaca Avenue South to Ideal Avenue South and Ideal Avenue South from 100th Street South to 110th Street South with a load restriction weight of six (6) ton per axle, made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

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Motion that the Council endorse the proposed No Fault Grievance Procedure with the understanding that the Human Services Commission would incorporate those suggestions from other cities which have adopted this procedure, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

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

RESOLUTION NO. 80-48

RESOLUTION AWARDING BID FOR THE FURNISHING OF ALL LABOR AND MATERIALS FOR THE PUMP AND CONTROLS FOR WELL #9 AND EXPANSION OF BOOSTER PUMPING STATION

WHEREAS, it appears that A & K Construction Company is the lowest responsible bidder, and

WHEREAS, it is the recommendation of the engineer that the contract be awarded to A & K Construction Company, now

THEREFORE, BE IT RESOLVED, by the City Council of the City 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 A & K Construction Company for the furnishing of all labor and materials to install a pump and controls for Deep Well #9 and the expanding of the existing booster pumping station in the amount of \$331,112.00.

Passed this 16th day of April, 1980.

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

Motion that Mr. Steven W. Pedersen be appointed to the Parks, Recreation and Natural Resources Commission for a term to expire January 1, 1983, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

The Council directed that the study on the Recreation Center be referred back to the Parks and Recreation Commission.

Motion that the Council accept the Parks and Recreation Commission recommendation on the use of ballfield rental monies so that all revenue generated be placed into a special account which will go towards the purchase of fencing for the ballfields at East Cottage Grove, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

The Council reviewed the grading plans for Kingston Park and Hamlet Park. No action taken.

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

RESOLUTION NO. 80-49

RESOLUTION AUTHORIZING ENGINEER TO PREPARE PLANS AND SPECIFICATIONS AND RECEIVE BIDS FOR TRUNK SANITARY SEWER TESTING AND SEALING

WHEREAS, trunk sanitary sewer testing and sealing work was authorized by the Council; and

WHEREAS, the advertisement for bids on the original work was made on December 21 and December 28, 1978; and

WHEREAS, W. G. Jaques Company was awarded the contract on said work, however, it appears said work has not been satisfactorily done, and the Company has failed and refused to correct the defective work; and

WHEREAS, if the infiltration of ground water is not corrected, the further extensions of sewer lines in the City of Cottage Grove will not be granted; and

WHEREAS, it is necessary for the City to have the trunk sanitary sewer lines properly sealed,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that the City's consulting engineers, Bonestroo, Rosene, Anderlik & Associates, are hereby authorized to prepare the necessary plans and specifications and advertise for bids for the necessary work for testing and sealing, involving approximately 5,200 lineal feet of 30" R.C.P., 13 manholes, and related items.

Passed this 16th day of April, 1980.

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

Motion that the Council authorize the purchase of two (2) Mopeds from South St. Paul Honda in the amount of \$1,018.00, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried 4 ayes, 1 nay. Councilman Denzer voting nay.

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

RESOLUTION NO. 80-50

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

WHEREAS, the City Council on November 21, 1979, passed Resolution No. 79-166 which provided for the adoption of an official budget for the General Fund for the City for 1980, and

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WHEREAS, some department budgets for 1980, because of levy limits, did not contain or provide for certain expenditures that staff felt were necessary, and

WHEREAS, certain departments in 1979 did not totally expend their budgets thereby causing a balance in the General Fund for 1979,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, Washington County, State of Minnesota, that it hereby authorizes the following transfer of funds from Fund Balance to the 1980 budget:

Appropriate \$180.00 from Fund Balance to Planning and Zoning for the purchase of one (1) slide projector.

Appropriate \$100.00 from Fund Balance to Mandatory Planning for the purchase of one (1) slide projector.

Appropriate \$5,000.00 from Fund Balance to General Government Buildings for improvements to general office building.

Appropriate \$5,000.00 from Fund Balance to Swimming Pool for maintenance and repair of building.

Passed this 16th day of April, 1980.

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

Staff was directed to provide the Council with a more detailed list of what they expect to do as regards the maintenance at City Hall and swimming pool.

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

Mayor Peterson made the following Proclamation:

WHEREAS, Cottage Grove volunteers are a vital resource in solving some of the human problems that are a consequence of our complex society; and

WHEREAS, volunteers, through their demonstrated concern and commitment to the well-being of others, prove assurance for the continuing high quality of life in Cottage Grove; and

WHEREAS, volunteers represent all ages, economic, education and ethnic backgrounds; and

WHEREAS, volunteering provides opportunities for personal growth, career exploration and civic contribution for every citizen; and

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WHEREAS, recognition should be given to individual volunteers for their contributions to the health, education, welfare, recreation, and cultural services to the City of Cottage Grove;

NOW, THEREFORE, I, Roger E. Peterson, Mayor of the City of Cottage Grove, Minnesota, do hereby proclaim the week of April 20, 1980 as

MINNESOTA VOLUNTEER RECOGNITION WEEK

IN WITNESS THEREOF, I have set my hand and caused the Seal of the City of Cottage Grove to be affixed this 16th day of April, 1980.

Motion that Mr. Dennis Plan be appointed to the Planning and Zoning Commission to fill out a term to expire January 1, 1981, made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

Motion that the meeting be adjourned, made by Councilwoman Berndt. Seconded by Councilman Denzer. Carried viva voce.

The meeting adjourned at 11:00 P.M.

Respectfully submitted,



Carl F. Meissner
Clerk Administrator