

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 2nd day of July, 1980 at 7:30 o'clock P.M., C.D.T.

The following members were present: Mayor Peterson  
Councilwoman Berndt  
Councilman Denzer  
Councilman Amundson  
Councilman Hammero (arrived at 7:40 P.M.)

And the following were absent: None

Mayor Peterson presided.

The minutes of the June 18, 1980 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The Council reviewed the application of Mr. Dennis Witzel for a lot size variance.

Motion that the application of Dennis Witzel for a variance to construct a home on a 2.07 acre parcel located in the Northeast One Quarter of Section 31 be approved based on the interpretation of the Critical Area Regulations by the Environmental Quality Board and the City Attorney, made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

The Council reviewed the application of Mr. Leslie F. Steppel for a set-back variance.

Mayor Peterson relinquished his Chair and Acting Mayor Denzer presided.

Motion that the application of Leslie F. Steppel, 8303 Ingleside Avenue South, for a side yard set-back variance to allow for the construction of a driveway to within two (2) feet of the property line be approved with the condition that no building permit be issued until a signed letter from the adjacent propertyowner agreeing to the set-back is received, made by Mayor Peterson. Seconded by Councilman Amundson.

Councilman Hammero arrived at 7:40 P.M.

Motion carried 3 ayes, 2 nays. Councilman Amundson and Councilman Hammero voting nay.

Mayor Peterson resumed his Chair and presided over the meeting.

The Council reviewed the application of Secure Properties, Inc. for a Conditional Use Permit to construct quad homes.

Motion that the application of Secure Properties, Inc. for a Conditional Use Permit to build quad homes be approved subject to the following conditions:

1. That a landscape plan and schedule must be furnished to the Planning Department prior to the issuance of any building permit.
2. That the Homeowner's Agreement must be submitted to the City and

City Council Meeting  
July 2, 1980

-2-

approved as part of the subdivision agreement.

3. The developer shall be required to pay a park dedication fee in the sum of Seventy-five (\$75.00) dollars per bedroom in lieu of land, as specified in the park dedication ordinance.
4. That the developer shall submit a plan to the City for controlling storm water run-off and erosion during construction.
5. That the site plan be as shown on the sketch dated April 24, 1980.

and that the Attorney is hereby directed to prepare the necessary resolution, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

The Council reviewed the application of Mr. Peter Schoen for a rezoning from B-2, Retail Business, to R-1, Rural Residential.

Motion that the application of Peter Schoen for a rezoning of ten (10) acres located in the Northeast One Quarter of Section 36 from B-2, Retail Business, to R-1, Rural Residential, be approved and that the necessary ordinance change be made, made by Councilwoman Berndt. Seconded by Councilman Amundson. Carried 4 ayes, 1 nay. Councilman Denzer voting nay.

The Council reviewed the 30 day Conditional Use Permit approved for Secure Properties, Inc. for the operation of a gravel pit located at 70th Street South and Harkness Avenue South.

The report of the Excavation Committee and the Planning Commission were reviewed.

Motion that the Council approve the Conditional Use Permit for Secure Properties, Inc. to operate a gravel pit in the Northeast One Quarter of the Northwest One Quarter of Section 8 subject to the applicant complying with all of the regulations stipulated in Resolution No. 80-82 and that the City Attorney is hereby directed to prepare the necessary resolution, made by Councilman Denzer. Seconded by Councilwoman Berndt.

Motion that the foregoing motion be amended so that the conditional use permit be temporary and only issued for the period to end October 31, 1980 and further that all of the stipulations that have been made and included in previous conditional use permits be complied with, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

The vote on the previous motion as amended carried viva voce.

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

RESOLUTION NO. 80-83

A RESOLUTION DETERMINING SUFFICIENCY OF PETITIONS FILED  
PURSUANT TO M.S.A. 429.031, SUBD. 3 AND ORDERING IMPROVEMENT  
HIGHLANDS TOWNHOUSE ADDITION

City Council Meeting  
July 2, 1980

-3-

WHEREAS, a petition has been submitted to this Council for the construction of an improvement to that real property described as Highlands Townhouse Addition Washington County, Minnesota, consisting of streets and utilities and for the assessment of the entire cost thereof against abutting property, now

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

It is hereby found and determined that the petition described in the preamble to this resolution is signed by all of the owners of real property affected by the improvement, in accordance with Minnesota Statutes, Section 429.031, Subdivision 3.

It is hereby ordered that said improvement shall be made, without a public hearing first being held thereon, and that the entire cost of said improvement shall be assessed against the petitioners.

Mr. Otto Bonestroo of St. Paul, Minnesota, the consulting engineer for the City, is hereby authorized and directed to prepare final plans and specifications for said improvement and to submit them to this Council.

That no bids be awarded until the Subdivision Agreement and Development Bond is filed with the City.

Passed this 2nd day of July, 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 Hammero, Councilman Denzer, Councilwoman Berndt, Councilman Amundson, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that the license applications from S & T Construction, Inc., General Contractor, and Carl's Construction, General Contractor, be approved, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Mayor Peterson relinquished his Chair and Acting Mayor Denzer presided.

The Council discussed the proposed ordinance amending Section 28 of the City Code with respect to multiple dwellings.

Motion that staff is directed to prepare an ordinance which would allow for the conversion of a single family home to a double bungalow or duplex type dwelling but would not provide for the construction of a new duplex type dwelling, made by Mayor Peterson. Seconded by Councilwoman Berndt. Carried 4 ayes, 1 nay. Councilman Hammero voting nay.

The Mayor resumed his Chair and presided over the meeting.

City Council Meeting  
July 2, 1980

-4-

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

RESOLUTION NO. 80-84

RESOLUTION AUTHORIZING PREPARATION AND SUBMISSION OF  
INTERGOVERNMENTAL PERSONNEL ACT (IPA) GRANT APPLICATION

WHEREAS, the City of Cottage Grove has adopted Personnel System Policies with the objective of these policies being to facilitate efficient and economical services to the public and to provide for a fair and equitable system of personnel management in the municipal government, and

WHEREAS, the City Council of the City of Cottage Grove recognizes the need for additional training and personnel to strengthen and carry out these objectives and policies as outlined in the City's Personnel System Policies, and

WHEREAS, grant monies are available through the Intergovernmental Personnel Act (IPA) for the funding of such training and personnel, now,

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

1. The City Clerk Administrator is hereby authorized and directed to prepare an application for an IPA Grant.
2. The Mayor and Clerk Administrator are hereby authorized to sign all forms and documents for such grant application.
3. The Personnel Director shall have the responsibility for developing and administering the IPA project, if funded.
4. Carl F. Meissner, Clerk Administrator, shall hereby be designated as the authority to act in connection with the application and to provide such additional information as may be required.
5. The local matching share required under the IPA program shall be available by cash and in kind contributions for the City of Cottage Grove without reducing total resources devoted to personnel administration and training.

Passed this 2nd day of July, 1980.

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

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

City Council Meeting  
July 2, 1980

-5-

RESOLUTION NO. 80- 85

A RESOLUTION ON HEARING FOR PROPOSED ASSESSMENTS FOR RIDGEWOOD FIRST  
ADDITION WATER AND SEWER IMPROVEMENTS

WHEREAS, by resolution passed by the City Council on June 18, 1980, the City Clerk was directed to prepare a proposed assessment roll for the Ridgewood First Addition water and sewer improvements and,

WHEREAS, the Clerk has notified the Council that such proposed assessment has been completed and filed in his office for public inspection, now,

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

1. A hearing shall be held on the 6th day of August, 1980 at 7:30 P.M., C.D.T. to pass upon such proposed assessment.
2. The City Clerk is hereby directed to cause a Notice of Hearing on the proposed assessments to be published once in the official newspaper at least two weeks prior to the hearing and he shall state in the notice, the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll. The Notice of Hearing shall be as follows:

NOTICE OF HEARING FOR PROPOSED ASSESSMENTS  
FOR RIDGEWOOD FIRST ADDITION WATER AND  
SEWER IMPROVEMENTS

TO WHOM IT MAY CONCERN:

Notice is hereby given, that the Cottage Grove City Council will meet at 7:30 P.M., C.D.T. on the 6th day of August, 1980 at the City Hall, 7516 80th Street South, in the City of Cottage Grove, to pass upon the proposed assessments for the cost of the Ridgewood First Addition water and sewer improvements.

It is proposed to assess all of the lots and parcels benefited by said improvement, which include:

All of the lots and parcels lying and being in the Ridgewood First Addition and part of the Northwest One Quarter of Section 22

The total cost of the improvement is \$316,187.70.

The proposed assessment roll is on file for public inspection in the office of the City Clerk. Written or oral objections will be considered at the hearing.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City of Cottage Grove within 20 days after the adoption of the assessment and thereafter, filing such notice with the Clerk of District Court within ten (10) days after

City Council Meeting  
July 2, 1980

-6-

service upon the Mayor or Clerk.

Any owner of homestead property over the age of 65 may apply for deferral of payment of these assessment charges if the making of the payments would be a hardship.

BY ORDER OF THE CITY COUNCIL.

s/Carl F. Meissner  
City Clerk

Passed this 2nd day of July, 19880.

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

The Public Health, Safety and Welfare Commission minutes of June 10, 1980 were reviewed.

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

RESOLUTION NO. 80-86

A RESOLUTION AUTHORIZING THE INSTALLATION OF STOP SIGNS

WHEREAS, the Director of Public Works has recommended that stop signs be installed on Jeffery Avenue South at 80th Street South and on 78th Street South at Hinton Avenue South, now,

THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, Washington County, State of Minnesota, that said Council hereby accepts the recommendation of the Director of Public Works to install stop signs at various locations in the City, and,

BE IT FURTHER RESOLVED, that the Council finds and determines that it is in the best interests of the public health, safety and welfare of the residents of Cottage Grove to establish and install stop signs on Jeffery Avenue South at 80th Street South and on 78th Street South at Hinton Avenue South, and

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

Passed this 2nd day of July, 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, Councilwoman Berndt, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

City Council Meeting  
July 2, 1980

-7-

The Council reviewed the Parks, Recreation and Natural Resources Commission minutes of June 2, 1980.

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

RESOLUTION NO. 80-87

RESOLUTION REQUESTING THE RELEASE OF 1980 LAWCON FUNDS  
AND TO RESTORE THE 1981 LAWCON FUNDING LEVEL

WHEREAS, the City of Cottage Grove has established a five year Park Acquisition and Development Program to meet Citizens needs; and

WHEREAS, the Five Year Program has been implemented through the joint funding of local, state, and federal funds; and

WHEREAS, LAWCON funding has made possible the acquisition of land for preservation, and recreational purposes; and

WHEREAS, funding has provided the opportunity to develop land to meet leisure needs and satisfy a demand placed on existing facilities; and

WHEREAS, the loss of LAWCON funding creates a serious hardship upon the City of Cottage Grove to acquire land and develop existing parks; and

WHEREAS, LAWCON funding was allocated from designated sources; and

WHEREAS, to wait and release LAWCON funding towards the end of the fiscal year will take Minnesota Cities out of the construction season; and

WHEREAS, with inflation and its impact on the cost of land and impact on escalating construction costs;

NOW, THEREFORE, BE IT RESOLVED, that the City of Cottage Grove strongly urges your support of legislation to release the 1980 LAWCON Funds immediately; and

FURTHER, that the 1981 LAWCON Funds be restored.

Passed this 2nd day of July, 1980.

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 Hamnero, Councilman Amundson, Councilwoman Berndt, and Mayor Peterson. The following voted against the same: Councilman Denzer. Whereupon said resolution was duly declared passed and adopted.

The Attorney gave an update regarding any action the Council should take in reference to a Public Works employee who has been absent from work.

Motion that the City Council continue the matter regarding Theodore Alverson until the next regular Council meeting or until further information is available,

City Council Meeting  
July 2, 1980

-8-

made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

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

ORDINANCE NO. 335

AN ORDINANCE AMENDING SECTION 2-57 REGARDING THE POWER OF  
THE HUMAN SERVICES COMMISSION

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

SECTION 1. AMENDMENT. "The Code of the City of Cottage Grove, Minnesota" shall be amended by amending Chapter 2, Section 2-57, to read as follows:

(a) Declaration of policy. It is the public policy of the City to:

(1) Encourage all citizens, whether individual or corporate, to join in establishing and preserving full and true equality among all residents and visitors and to discourage any form of discriminatory practices;

(2) Declare as civil rights the rights of all persons to equal opportunities in employment, real property, public accommodations, public services, education and credit without regard to race, color, creed, religion, national origin, disability, sex or status with regard to public assistance;

(3) Prevent and prohibit any and all discriminatory practices based on race, color, creed, religion, national origin, disability, sex or status with regard to public assistance with respect to employment, real property, public accommodations, public services, education and credit;

(4) Protect all citizens, whether individual or corporate, from unfounded charges of discrimination;

(5) Encourage all citizens to become better informed concerning the human rights, needs and problems of others, so as to eliminate misinformation as one of the basic causes of discriminatory practices;

(6) Make every effort to inform the citizens of the City of, and assist them in making use of, the many human services available to them at the federal, state, county and local levels of government, from non-profit organizations and from private sources;

(7) Effectuate the foregoing policy by means of public information and education.

(b) Definitions. All applicable definitions of terms used in this section will be the same as stated in the Human Rights Act of the State of Minnesota, Chapter 363 of the Minnesota Statutes.

City Council Meeting  
July 2, 1980

-9-

(c) Purpose. The purpose of the Human Services Commission will be to advise and direct the City Council of the City in the timely and successful implementation of the City's above-stated policy. This effort will involve cooperation and interaction with the Department of Human Rights of the state, the human rights commissions or other municipalities and counties, various governmental, non-profit and private agencies and most importantly, with the citizens of the City.

(d) Powers.

(1) With the approval of the Council, to enter into a Memorandum of Understanding with the Human Rights Department of the state describing the areas of cooperative responsibility between the Minnesota Department of Human Rights and the Human Services Commission of the City in attaining the full benefits of the Minnesota Human Rights Act for the citizens of the City.

(2) To receive complaints of discrimination from the citizens of the City and to assist them in the processing of such claims with the City Council or the Minnesota Department of Human Rights, whichever is applicable. To investigate, study, report and undertake other functions as are assigned to local commissions under and pursuant to Chapter 363 of the Minnesota Statutes, and discharge its duties under said Chapter 363 with regard to specific matters referred to it by the State Commissioner of Human Rights or filed with it by individuals, which shall specifically include the power to process grievance complaints under the "no-fault grievance procedure" as established by the State of Minnesota Department of Human Rights, and acts necessarily incident to said grievance procedure.

(3) With the approval of the Council, to provide information to the citizens of the City concerning human services available to them and to assist them, when possible, in obtaining these services.

(4) To review the personnel policies of the City in regard to compliance with federal, state and local equal opportunity and civil rights legislation. All recommendations and comments are to be made to the City Council of the City for their consideration.

(5) With the approval of the Council, to provide for the education of the citizens of the City in the area of human rights and human services by means of seminars, guest speakers and distribution of publications.

(6) The commission is responsible to the City Council and receives no power to proceed in taking any action not specifically authorized by the City Council in this section. (Ord. No. 222, Sec. 1; Ord. No. 263, Sec. 1.)

Passed this 2nd day of July, 1980.

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

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

City Council Meeting  
July 2, 1980

-10-

RESOLUTION NO. 80-88

RESOLUTION ESTABLISHING POLICY AND PROCEDURE FOR THE HUMAN SERVICES COMMISSION  
IN THE PROCESSING OF "NO FAULT GRIEVANCE PROCEDURE"

WHEREAS, the State of Minnesota Department of Human Rights has sought the assistance of various local human rights commissions throughout the State to process discrimination complaints through the "no fault grievance procedure"; and

WHEREAS, the City Council has reviewed said procedure, and is in favor of the concept and the involvement of the City Human Services Commission; and

WHEREAS, the City Ordinance has been amended to grant the necessary powers to the Human Services Commission to process the grievances; and

WHEREAS, it is necessary for the Council to set policy with respect to the powers of the Human Services Commission,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Cottage Grove, Washington County, Minnesota, that the following policies shall be followed by all members of the Human Services Commission, which are as follows:

1. No commission member shall participate in the processing of a no-fault grievance without having successfully completed the State certified training.
2. No member of the Commission shall mediate or attempt to mediate any claim against the City of Cottage Grove, or any grievance of an employee of the City of Cottage Grove, and any such grievance that comes to the attention of the Commission shall be immediately referred to the State Department of Human Rights.
3. No member of the Commission shall become a party or signator to any agreement reached between a grievant and a respondent.
4. The Commission shall only use the forms provided by the City of Cottage Grove in the processing of grievance complaints, and shall at all times follow the procedures set down by the Department of Human Rights, the State Statutes, and the City Administration.

Passed this 2nd day of July, 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: Councilwoman Berndt, Councilman Denzer, Councilman Amundson, 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 accept the No Fault Grievance application form, the No Fault Grievance Agreement, and the Cottage Grove Human Services Commission Grievant Information Sheet by making them a part of these minutes as addendums I, II, and III, made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

City Council Meeting  
July 2, 1980

-11-

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

RESOLUTION NO. 80-89

RESOLUTION AWARING BID - STREET IMPROVEMENT IN HINTON HEIGHTS ADDITION

WHEREAS, it appears that Bituminous Materials, Inc. is the lowest responsible bidder, and

WHEREAS, it is the recommendation of the Engineer that the contract be awarded to Bituminous Materials, Inc., 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 Bituminous Materials, Inc., in the amount of \$73,490.50 for the installation of street improvements in Hinton Heights Addition.

Passed this 2nd day of July, 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 Amundson, Councilwoman Berndt, Councilman Denzer, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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

RESOLUTION NO. 80-90

RESOLUTION AWARING BID - AUXILIARY ELECTRIC POWER GENERATOR INSTALLATION FOR THE CITY HALL BUILDING

WHEREAS, it appears that Donnelly Electric, Inc. is the lowest responsible bidder, and

WHEREAS, it is the recommendation of the Engineer that the contract be awarded to Donnelly Electric, Inc., 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 Donnelly Electric, Inc., in the amount of \$39,947.00 for the installation of an auxiliary electric power generator in the City Hall building.

Passed this 2nd day of July, 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

City Council Meeting  
July 2, 1980

-12-

thereof: Councilman Amundson, Councilman Hammero, Councilwoman Berndt, and Mayor Peterson. The following voted against the same: Councilman Denzer. Whereupon said resolution was duly declared passed and adopted.

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

RESOLUTION NO. 80-91

RESOLUTION REJECTING BIDS FOR THE TRUNK SANITARY SEWER TESTING  
AND SEALING AND REORDERING THE ADVERTISEMENT FOR BIDS

WHEREAS, the Cottage Grove City Council approved the specifications for the taking of bids for the trunk sanitary sewer testing and sealing on June 18, 1980, and,

WHEREAS, said bids were received and opened on Wednesday, July 2, 1980, at 11:00 A.M., C.D.T. and,

WHEREAS, only one (1) bid was received and the Engineer has recommended that this bid be rejected and that new bids be taken, now,

THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that the Council reject the bid received for the trunk sanitary sewer testing and sealing and that the City Clerk is hereby authorized and directed to re-advertise for bids in accordance with law and that said bids be taken and read aloud on Wednesday, August 6, 1980, at 11:00 A.M., C.D.T.

Passed this 2nd day of July, 1980.

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 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 approve the purchase of a 27 foot easement for public right-of-way purposes from the U.S. Postal Service in the amount of \$10,800.00 with the stipulation that the Postal Service accept said offer, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Motion that the Council approve the Supplemental Agreement to Escrow Agreement between Ryan Development, Inc. and the City of Cottage Grove regarding the development of the Woodmount Townhouses and that the Mayor and Clerk are hereby authorized to sign said agreement, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the Council approve the purchase of two (2) back-stops for Woodridge Park including installation at a cost of \$1,830.00, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

City Council Meeting  
July 2, 1980

-13-

Motion that the Council approve Change Order No. 1 between Collins Electric Company and the City of Cottage Grove for the Woodridge Addition street lighting project in the amount of \$3,066.15, made by Councilwoman Berndt. Seconded by Councilman Hamnero. Carried viva voce.

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

RESOLUTION NO. 80-92

RESOLUTION ACCEPTING WORK AND AUTHORIZING FINAL PAYMENT FOR  
WOODRIDGE ADDITION STREET LIGHTING

WHEREAS, pursuant to a written contract signed with the City of Cottage Grove, Collins Electric Company has satisfactorily completed the Woodridge Addition street lighting project in accordance with such contract, and

WHEREAS, the City engineer has advised the Council that the construction has been satisfactorily completed in accordance with the contract plans and specifications and that final payment be made, 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 \$27,377.13.

Passed this 2nd day of July, 1980.

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

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

RESOLUTION NO. 80-93

RESOLUTION ACCEPTING WORK AND AUTHORIZING FINAL PAYMENT FOR  
PINETREE POND EAST FIRST ADDITION AND RIDGEWOOD ADDITION STREET  
LIGHTING

WHEREAS, pursuant to a written contract signed with the City of Cottage Grove, Kehne Electric Company has satisfactorily completed the Pinetree Pond East 1st Addition and Ridgewood Addition street lighting project in accordance with such contract, and

WHEREAS, the City Engineer has advised the Council that the construction has been satisfactorily completed in accordance with the contract plans and specifications

City Council Meeting  
July 2, 1980

-14-

and that final payment be made, 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 \$2,671.25.

Passed this 2nd day of July, 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 Denzer, Councilman Hammero, Councilman Amundson, Councilwoman Berndt, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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

RESOLUTION NO. 80-94

RESOLUTION AMENDING RESOLUTION NO. 80-20, A RESOLUTION APPROVING ACQUISITION OF LANDS FOR CONSTRUCTION OF SANITARY SEWER, WATER MAIN, WATER AND SEWER SERVICES AND STORM SEWER FOR LANGDON STORM SEWER-PURPLE AREA IMPROVEMENT

WHEREAS, the City Council on February 6, 1980, adopted Resolution No. 80-20 approving the acquisition of lands necessary to make the improvement in the Langdon Purple Area storm water drainage district, and

WHEREAS, the description of lands needed for said construction did not contain the description for the temporary taking of easements, now,

THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, Washington County, State of Minnesota, that Resolution No. 80-20 be amended to include the following legal descriptions of the lands to be acquired in the temporary taking of easements, to wit:

A perpetual easement 30 feet in width and a tempoary construction easement 80 feet in width for utility purposes over, under and across the East half of the Northwest quarter, Section 15, Township 27, Range 21, Washington County, Minnesota except the North 1360 feet of the West 244 feet thereof.

Said perpetual easement lying 10 feet left and 20 feet right, of a line described as commencing at the Northwest corner of said East half; thence South 89° 41' 05" East, assumed bea ring, 244 feet to the Northeast corner of said North 1360 feet of the West 244 feet; thence South 0° 11' 08" West along the East line of said North 1360 feet of the West 244 feet, 79.16 feet to the actual point of beginning of the line to be described; thence North 15° 27' 43" East 82.01 feet to a point on the North line of said East half of the Northwest quarter, distant 265.61 feet East from the Northwest corner of said East half of the Northwest quarter and there terminating. The sidelines of said easement is to be prolonged or shortened to terminate on the East line of the said North 1360 feet of the West 244 feet.

City Council Meeting  
July 2, 1980

-15-

And said temporary construction easement lying 30 feet left and 50 feet right, of a line described as commencing at the Northwest corner of said East half, thence South 89° 41' 05" East, assumed bearing, 244 feet to the Northeast corner of said North 1360 feet of the West 244 feet; thence South 0° 11' 08" West along the East line of said North 1360 feet of the West 244 feet, 79.16 feet to the actual point of beginning of the line to be described; thence North 15° 27' 43" East 82.01 feet to a point on the North line of said East half of the Northwest quarter, distant 265.01 feet East from the Northwest corner of said East half of the Northwest quarter and there terminating. The sidelines of said easement is to be prolonged or shortened to terminate on the East line of the said North 1360 feet of the West 244 feet.  
(ELMER AND CAROL PETERSON)

AND

A perpetual easement 30 feet in width and a temporary construction easement 80 feet in width for utility purposes over, under and across the North 1360 feet of the West 244 feet of the East half of the Northwest quarter, Section 15, Township 27, Range 21, Washington County, Minnesota.

Said perpetual easement lying 10 feet left and 20 feet right, of a line described as commencing at the Northwest corner of said North 1360 feet of the West 244 feet; thence South 0° 11' 08" West, assumed bearing, along the West line of said North 1360 feet of West 244 feet, 907.05 feet to the actual point of beginning of the line to be described; thence, North 20° 31' 21" East 136.04 feet; thence North 3° 55' 42" West 280.53 feet; thence North 34° 36' 51" East 300.33 feet; thence North 15° 27' 43" East 178.55 feet to a point on the East line of said North 1360 feet of the West 244 feet, 79.16 feet South from the Northeast corner of said North 1360 feet of the West 244 feet and there terminating. The sidelines of said easement is to be prolonged or shortened to terminate on the West and East lines of said North 1360 feet of the West 244 feet.

And said temporary construction easement lying 30 feet left and 50 feet right of the line described as commencing at the Northwest corner of said North 1360 feet of the West 244 feet; thence South 0° 11' 08" West, assumed bearing, along the West line of said North 1360 feet of West 244 feet, 907.05 feet to the actual point of beginning of the line to be described; thence North 20° 31' 21" East 136.04 feet; thence North 3° 55' 42" West 280.53 feet; thence North 34° 36' 51" East 300.33 feet; thence North 15° 27' 43" East 178.55 feet to a point on the East line of said North 1360 feet of the West 244 feet, 79.16 feet South from the Northeast corner of said North 1360 feet of the West 244 feet and there terminating. The sideline of said easement is to be prolonged or shortened to terminate on the West and East lines of said North 1360 feet of the West 244 feet. (THOMAS C. AND CATHERINE A. GEISLER)

AND

A perpetual easement 30 feet in width and a temporary construction easement 80 feet in width for utility purposes over, under and across the South half of the West half of the West half of the Northwest quarter of Section 15, Township 27, Range 21, Washington County, Minnesota.

Said perpetual easement lying 10 feet left and 20 feet right, of a line described as commencing at the Southwest corner of said Northwest quarter; thence South 89° 38' 55" East, assumed bearing, along the South line of said Northwest quarter, 76.71 feet to the actual point of beginning of the line to be described; thence North 40° 23' 26" East 246.19 feet; thence North 21° 19' 08" East 200.25 feet; thence North 34° 55' 49" East 284.45 feet; thence North 46° 00' 59" East 400.15 feet and there terminating. The sideline of said easement is to be prolonged or shortened to terminate on South line of said Northwest quarter.

City Council Meeting  
July 2, 1980

-16-

And said temporary construction easement lying 30 feet left and 50 feet right, of a line described as commencing at the Southwest corner of said Northwest quarter; thence South  $89^{\circ} 38' 55''$  East, assumed bearing, along the South line of said Northwest quarter, 76.71 feet to the actual point of beginning of the line to be described; thence North  $40^{\circ} 23' 26''$  East 246.19 feet; thence North  $21^{\circ} 19' 08''$  East 200.25 feet; thence North  $34^{\circ} 55' 49''$  East 284.45 feet; thence North  $46^{\circ} 00' 59''$  East 400.15 feet and there terminating. The sideline of said easement is to be prolonged or shortened to terminate on the South line of said Northwest quarter.

Together with a perpetual easement for drainage purposes over, under and across that part of said South half of the West half of the Northwest quarter of Section 15, lying within the following described tract of land; commencing at the Southwest corner of said Northwest quarter; thence South  $89^{\circ} 39' 28''$  East, assumed bearing, along the South line of said Northwest quarter 76.71 feet to the actual point of beginning of the land to be described; thence North  $40^{\circ} 23' 26''$  East 246.19 feet; thence North  $21^{\circ} 19' 08''$  East 200.25 feet; thence North  $34^{\circ} 55' 49''$  East 284.45 feet; thence North  $46^{\circ} 00' 59''$  East 400.15 feet; thence North  $40^{\circ} 40' 27''$  East 56.90 feet; thence South  $31^{\circ} 20' 59''$  East 122.30 feet; thence South  $4^{\circ} 28' 01''$  East 90.40 feet; thence South  $11^{\circ} 01' 43''$  West 108.15 feet; thence South  $34^{\circ} 33' 13''$  West 84.62 feet; thence South  $36^{\circ} 37' 57''$  West 176.36 feet; thence South  $28^{\circ} 48' 28''$  West 92.49 feet; thence South  $11^{\circ} 16' 03''$  West 71.78 feet; thence South  $49^{\circ} 54' 45''$  West 136.06 feet; thence South  $62^{\circ} 59' 57''$  West 55.47 feet; thence South  $42^{\circ} 50' 51''$  West 57.23 feet; thence South  $66^{\circ} 12' 03''$  West 71.61 feet; thence South  $26^{\circ} 54' 32''$  West 45.41 feet; thence South  $6^{\circ} 55' 39''$  East 42.81 feet to a point on the South line of said Northwest quarter distant 361.71 feet East of the Southwest corner of said Northwest quarter; thence North  $89^{\circ} 38' 55''$  West along said South line 285.00 feet to the actual point of beginning. (VERNON M. AND TIMOTHY M. EIDE)

AND

A perpetual easement for drainage and utility purposes over, under and across the Northwest quarter of the Southwest quarter of Section 15, Township 27, Range 21, Washington County, Minnesota described as beginning at the Northwest corner of said Northwest quarter of Southwest quarter; thence South  $0^{\circ} 02' 44''$  East, assumed bearing, along the West line of said Northwest quarter of Southwest quarter 835 feet; thence North  $89^{\circ} 57' 16''$  East 40 feet; thence North  $0^{\circ} 02' 44''$  West 594.28 feet; thence North  $39^{\circ} 01' 23''$  East 84.02 feet; thence North  $80^{\circ} 13' 56''$  East 107.81 feet; thence North  $70^{\circ} 03' 30''$  East 86.10 feet; thence North  $44^{\circ} 13' 18''$  East 123.23 feet; thence North  $6^{\circ} 55' 39''$  West 37.49 feet to a point on the North line of said Northwest quarter distant 361.71 feet East of the Northwest corner of said Northwest quarter of Southwest quarter; thence North  $89^{\circ} 38' 55''$  West along said North line 361.71 feet to the point of beginning.

AND

A temporary construction easement across the Northwest quarter of the Southwest quarter of Section 15, Township 27, Range 21, Washington County, Minnesota, described as beginning at the Northwest corner of said Northwest Quarter of Southwest quarter; thence South  $0^{\circ} 02' 44''$  East, assumed bearing along the West line of said Northwest quarter of South west quarter 835 feet; thence North  $89^{\circ} 57' 16''$  East 40 feet to the actual point of beginning of the land to be described; thence North  $0^{\circ} 02' 44''$  West 594.28 feet; thence North  $39^{\circ} 01' 23''$  East 63.47 feet; thence South  $0^{\circ} 02' 44''$  East 643.56 feet; thence South  $89^{\circ} 57' 16''$  West 40 feet to the actual point of beginning. (WARREN R. AND HELEN L. SMALLIDGE)

City Council Meeting  
July 2, 1980

-17-

AND

A perpetual easement 30 feet in width and a temporary construction easement 80 feet in width for utility purposes over, under and across the East half of the West half of the Northwest quarter of Section 15, Township 27, Range 21, Washington County, Minnesota, except the East 180 feet of the North 250 feet thereof.

Said perpetual easement lying 10 feet left and 20 feet right, of a line described as commencing at the West quarter corner of said Section 15, thence south 89° 38' 55" East, assumed bearing, along the South line of said Northwest quarter 76.71 feet to the actual point of beginning of the line to be described; thence North

40° 23' 26" East 246.19 feet; thence North 21° 19' 08" East 200.25 feet; thence North 34° 55' 49" East 284.45 feet; thence North 46° 00' 59" East 400.15 feet; thence North 40° 40' 27" East 150.20 feet; thence North 41° 09' 25" East 299.65 feet; thence North 13° 59' 54" East 149.74 feet; thence North 37° 24' 03" East 99.95 feet; thence North 21° 24' 47" East 115.04 feet; thence North 49° 29' 04" East 140.82 feet; thence North 20° 31' 21" East 80.70 feet to a point on the East line of said East Half of West Half 907.05 feet South from the Northeast corner of said East half of West half and there terminating. The sideline of said easement is to be prolonged or shortened to terminate on the East line of said East half of West half of Northwest quarter and on the South line of said Northwest quarter.

And said temporary construction easement lying 30 feet left and 50 feet right of a line described as commencing at the West quarter corner of said Section 15; thence South 89° 38' 55" East, assumed bearing, along the South line of said Northwest quarter 76.71 feet to the actual point of beginning of the line to be described; thence North 40° 23' 26" East 246.19 feet; thence North 21° 19' 08" East 200.25 feet; thence North 34° 55' 49" East 284.45 feet; thence North 46° 00' 59" East 400.15 feet; thence North 40° 40' 27" East 150.20 feet; thence North 41° 09' 25" East 299.65 feet; thence North 13° 59' 54" East 149.74 feet; thence North 37° 24' 03" East 99.95 feet; thence North 21° 24' 47" East 115.04 feet; thence North 49° 29' 04" East 140.82 feet; thence North 20° 31' 21" East 80.70 feet to a point on the East line of said East half of West half 907.05 feet South from the Northeast corner of said East half of West half and there terminating. The sideline of said easement is to be prolonged or shortened to terminate on the East line of said East half of West half of Northwest quarter and on the south line of said Northwest quarter.

Together with a perpetual easement for drainage purposes over, under and across that part of said East half of the West half of the Northwest quarter of Section 15, lying within the following described tract of land: Commencing at the West quarter corner of Section 15; thence South 89° 38' 55" East, assumed bearing, along the South line of said Northwest quarter 76.71 feet to the actual point of beginning of the land to be described; thence North 40° 23' 26" East 246.19 feet; thence North 21° 19' 08" East 200.25 feet; thence North 34° 55' 49" East 284.45 feet; thence North 46° 00' 59" East 400.15 feet; thence North 40° 40' 27" East 56.90 feet; thence South 31° 20' 59" East 122.30 feet; thence South 4° 28' 01" East 90.40 feet; thence South 11° 01' 43" West 108.15 feet; thence South 34° 33' 13" West 84.62 feet; thence South 36° 37' 57" West 176.36 feet; thence South 28° 48' 28" West 92.49 feet; thence South 11° 16' 03" West 71.78 feet; thence South 49° 54' 45" West 136.06 feet; thence South 62° 59' 57" West 55.47 feet; thence South 42° 50' 51" West 57.23 feet; thence South 66° 12' 03" West 71.61 feet; thence South 26° 54' 32" West 45.41 feet; thence South 6° 55' 39" East 42.81 feet to a point on the South line of said Northwest quarter distant 361.71 feet East of said West quarter corner; thence North 89° 38' 55" West along said South line 285.00 feet to the actual point of beginning. (MAXINE R. AND CHARLES RADEMACHER II)

All of the aforescribed construction easements shall expire 90 days after commencement of construction.

City Council Meeting  
July 2, 1980

-18-

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

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

RESOLUTION NO. 80-95

RESOLUTION APPROVING ACQUISITION OF LANDS FOR CONSTRUCTION OF POINT  
DOUGLAS ROAD EXTENSION EASEMENTS, HIGHWAY 61 AND JAMAICA AVENUE SOUTH

WHEREAS, the City Council on the 7th day of May, 1980 adopted Resolution No. 80-52, ordering the improvement of Point Douglas Road extension and Inwood Avenue South extension, Highway 61 and Jamaica Avenue South, and

WHEREAS, the City Council of the City of Cottage Grove hereby finds and determines that it is in the best interest of the City of Cottage Grove and for public use and purpose to acquire easements and rights-of-way for the Point Douglas Road and Inwood Avenue street extensions for the improvement of those lands contained within the Highway 61 and Jamaica Avenue improvement district.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that said Council hereby finds and determines that it is necessary and for a public use and purpose to acquire fee interests and easement interests in the lands in the City of Cottage Grove, County of Washington, State of Minnesota, for the construction and maintenance of roadway by negotiated purchase, gift or by condemnation in the exercise of the right of eminent domain as provided by law, and

BE IT FURTHER RESOLVED, that said lands shall be described by the City Engineer in the plans and specifications prepared by him for the hereinbefore described improvement, the legal descriptions of which are hereinafter set forth, and

BE IT FURTHER RESOLVED, that the Mayor and Clerk be, and they hereby are authorized and directed to execute all documents necessary to effect acquisition of the afore-described fee and easement land interests, and that the City attorney shall be, and hereby is authorized and directed to conduct negotiations and/or institute condemnation proceedings and to do all things necessary to acquire the necessary interests in the aforescribed lands, and

BE IT FURTHER RESOLVED, that the legal descriptions of the lands to be acquired are as follows, to-wit:

A perpetual easement 70 feet in width for public roadway purposes over, under and across the following described property:

That part of the West half of the Northeast quarter of Section 21, Township 27, Range 21, Washington County, Minnesota lying Northeasterly of Minnesota Department of Transportation Right-of-way Plat No. 82-24, on file and of record in the office of the County Recorder, Washington County, Minnesota.

The centerline of said easement being described as follows:

Beginning at the Northwest corner of said West half of the Northeast quarter of Section 21; thence South 0° 41' 09" East, assumed bearing, along the East line of said Northwest quarter 377.96 feet; thence North

City Council Meeting  
July 2, 1980

-19-

89° 18' 51" East 217.36 feet; thence Easterly and Southeasterly along a tangential curve, concave to the Southwest, having a radius of 487.62 feet, a central angle of 40° 31' 19" and an arc distance of 344.87 feet; thence South 50° 09' 50" East, tangent to last described curve, 46.57 feet and there terminating. (LAND HOLDING COMPANY-1.13 ± Acres)

AND

A perpetual easement 40 feet in width for public utility purposes over, under and across the following described property:

That part of the West half of the Northeast quarter of Section 21, Township 27, Range 21, Washington County, Minnesota lying Northeasterly of Minnesota Department of Transportation Right-of-Way Plat No. 82-24, on file and of record in the office of the County Recorder, Washington County, Minnesota.

The centerline of said easement being described as follows:

Commencing at the Northwest corner of said West half of the Northeast quarter of Section 21; thence South 0° 41' 09" East, assumed bearing, along the East line of said Northwest quarter 377.96 feet; thence North 89° 18' 51" East 217.36 feet; thence Easterly and Southeasterly along a tangential curve, concave to the Southwest, having a radius of 487.62 feet, a central angle of 40° 31' 19" and an arc distance of 344.87 feet; thence South 50° 09' 50" East, Tangent to last described curve, 46.57 feet to the actual point of beginning of the line to be described; thence South 50° 09' 50" East 579.31 feet; thence Southeasterly and Easterly along a tangential curve, concave to the Northeast, having a radius of 406.40 feet, a central angle of 40° 31' 02" and an arc distance of 287.39 feet; thence North 89° 19' 08" East, tangent to last described curve 38.68 feet to a point on the East line of said West half of the Northeast quarter distant 1000.00 feet South from the Northeast corner thereof, and there terminating. (LAND HOLDING COMPANY - 0.75 ± Acres)

AND

A perpetual easement 70 feet in width for public roadway purposes over, under and across the following described property:

That part of the Northwest quarter of Section 21, Township 27, Range 21, Washington County, Minnesota lying Northerly of the Northeasterly line of Minnesota Department of Transportation Right-of-Way Plat No. 82-24 on file and of record in the office of the County Recorder, Washington County, Minnesota. Except that part of the said Northwest quarter described as beginning at a point on the North line of said Northwest quarter distant 748.37 feet West from the Northeast corner thereof; thence North 89° 23' 26" East, assumed bearing, along the North line of said Northwest quarter 448.37 feet; thence South 0° 36' 34" East 495 feet; Thence South 27° 25' 43" West 290.32 feet to the Northeasterly line of said Minnesota Department of Transportation Right-of-Way Plat No. 82-24; thence North 62° 34' 17" West along said Northeasterly line 628.43 feet to its intersection with a line that bears South 27° 25' 43" West from the point of beginning; thence North 27° 25' 43" East 516.46 feet to the point of beginning.

City Council Meeting  
July 2, 1980

-20-

The centerline of said easement being described as follows:

Beginning at the Northeast corner of said Northwest quarter of Section 21; thence South  $0^{\circ} 41' 09''$  East, assumed bearing, along the East line of said Northwest quarter 377.96 feet; thence South  $89^{\circ} 18' 51''$  West 42.64 feet; thence Westerly and Southwesterly along a tangential curve, concave to the Southeast, having a radius of 260.34 feet, a central angle of  $60^{\circ} 53' 08''$  and an arc distance of 276.65 feet to a point of reverse curve; thence Southwesterly and Northwesterly along a tangential curve, concave to the Northwest a radius of 259.23 feet, a central angle of  $89^{\circ} 00'$  and an arc distance of 402.68 feet to a point measured at right angles to and distant 35 feet Northeasterly from the Northeasterly line of said Minnesota Department of Transportation Right-of-Way Plat No. 82-24; thence North  $62^{\circ} 34' 17''$  West, parallel with the Northeasterly line of said plat, 670.98 feet; thence North  $51^{\circ} 03' 44''$  West, parallel with the Northeasterly line of said plat, 470.49 feet to the North line of the said Northwest quarter of Section 21 and there terminating.

Together with a perpetual easement for public roadway purposes over, under and across the above described property:

Said perpetual easement described as beginning at the terminus of the above described centerline; thence South  $51^{\circ} 03' 44''$  East along last described centerline 187.44 feet; thence North  $38^{\circ} 56' 16''$  East 68.63 feet; thence Northeasterly along a tangential curve, concave to the Southeast, having a radius of 92.0 feet, a central angle of  $50^{\circ} 27' 10''$  and an arc distance of 81.01 feet to the Southerly right-of-way line of 90th Street South; thence North  $0^{\circ} 36' 34''$  West 33 feet to the North line of said Northwest quarter; thence South  $89^{\circ} 23' 26''$  West along said North line 259.17 feet to the point of beginning. (GLENDENNING JOINT VENTURE - 2.13  $\pm$  Acres)

AND

A perpetual easement 70 feet in width for public roadway purposes over, under and across the following described property:

That part of the Northwest quarter of Section 21, Township 27, Range 21, Washington County, Minnesota described as beginning at a point on the North line of said Northwest quarter distant 748.37 feet West from the Northeast corner thereof; thence North  $89^{\circ} 23' 26''$  East, assumed bearing, along the North line of said Northwest quarter 448.37 feet; thence South  $0^{\circ} 36' 34''$  East 495 feet; thence South  $27^{\circ} 25' 43''$  West 290.32 feet to the Northeasterly line of Minnesota Department of Transportation Right-of-Way Plat No. 82-24, on file and of record in the office of the County Recorder, Washington County, Minnesota; thence North  $62^{\circ} 34' 17''$  West along said plat 628.43 feet to its intersection with a line that bears South  $27^{\circ} 25' 43''$  West from the point of beginning; thence North  $27^{\circ} 25' 43''$  East 516.46 feet to the point of beginning.

The centerline of said easement being described as follows:

Beginning at the Northeast corner of said Northwest quarter of Section 21; thence South  $0^{\circ} 41' 09''$  East, assumed bearing, along the East line of said Northwest quarter 377.96 feet; thence South  $89^{\circ} 18' 51''$  West 42.64 feet;

City Council Meeting  
July 2, 1980

-21-

thence Westerly and Southwesterly along a tangential curve, concave to the Southeast, having a radius of 260.34 feet, a central angle of 60° 53' 08" and an arc distance of 276.65 feet to a point of reverse curve; thence Southwesterly and Northwesterly along a tangential curve, concave to the Northwest, having a radius of 259.23 feet, a central angle of 89° 00' and an arc distance of 402.68 feet to a point measured at right angles to and distant 35 feet Northeasterly from the Northeasterly line of said Minnesota Department of Transportation Right-of-Way Plat No. 82-24; thence North 62° 34' 17" West parallel with the Northeasterly line of said plat, to the Westerly line of the above described tract of land and there terminating. (CUB MARKETS - 1.11 ± Acres)

Passed this 2nd day of July, 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 Denzer, Councilwoman Berndt, Councilman Amundson, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that the amendment to the Joint and Cooperative Agreement with Suburban Recruitment System shall be approved and that the Mayor and Clerk are hereby authorized to sign said agreement, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

The Mayor proclaimed the day of September 8, 1980 as NATIONAL CANCER DAY.

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

Motion that Elmer M. Anderson be appointed to the Human Services Commission for a term to expire on January 1, 1983, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried viva voce.

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

The meeting adjourned at 9:25 P.M., C.D.T.

Respectfully submitted,

*Carl F. Meissner*

Carl F. Meissner  
Clerk Administrator

Addendum I

NO FAULT GRIEVANCE

COTTAGE GROVE HUMAN SERVICES COMMISSION

Commission Representative: \_\_\_\_\_ File No. \_\_\_\_\_  
Date: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Name of Grievant: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_  
Home Telephone: \_\_\_\_\_ Phone During Day: \_\_\_\_\_  
Name of Respondent: \_\_\_\_\_  
Firm or Organization: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_

Basis \_\_\_\_\_ Race \_\_\_\_\_ Color \_\_\_\_\_ Creed \_\_\_\_\_ Religion \_\_\_\_\_ National Origin \_\_\_\_\_  
Sex \_\_\_\_\_ Marital Status \_\_\_\_\_ Public Assistance \_\_\_\_\_ Disability \_\_\_\_\_  
Age \_\_\_\_\_

Area \_\_\_\_\_ Employment \_\_\_\_\_ Housing \_\_\_\_\_ Public Accommodations \_\_\_\_\_  
Public Services \_\_\_\_\_ Education \_\_\_\_\_ Reprisal \_\_\_\_\_ Other \_\_\_\_\_

Date Charges Filed: \_\_\_\_\_ Date of Alleged Discrimination: \_\_\_\_\_  
4 Months \_\_\_\_\_ 6 Months \_\_\_\_\_ Claim must be filed with State by this Date

Grievance Statement:

Disclaimer:

The foregoing No Fault Grievance has been read and is understood by the undersigned, and the undersigned hereby warrant(s) and represent(s) that the foregoing information is true, accurate and complete. The undersigned further understand(s) that the City of Cottage Grove and the Human Services Commission named in the No Fault Grievance are only using their good offices in an attempt to assist the undersigned in expeditiously resolving an alleged unfair discriminatory practice, and agree(s) that the City of Cottage Grove and the Human Services Commission, and their representatives, shall have no liability or obligation of any kind to the undersigned for any act taken in so attempting to resolve said alleged unfair discriminatory practice, and all claims of any such liability or obligation are hereby waived and released. The undersigned also acknowledge(s) receipt from the Human Services Commission of a copy of the "Grievant Information Sheet". The undersigned also acknowledge(s) that he/she has been informed of his/her rights under the Minnesota Human Rights Act (Chapter 363, Minnesota Statutes). The undersigned also understand(s) and agree(s) that all information given to the Human Services Commission shall be public data, available for review and copying by anyone, pursuant to the Minnesota Government Data Practices Act (Minnesota Statutes 15.1611 through 15.1698).

Signature of Grievant: \_\_\_\_\_ Date: \_\_\_\_\_

Addendum II

NO FAULT GRIEVANCE SETTLEMENT AGREEMENT

This agreement is entered into by \_\_\_\_\_  
(herein called the Respondent), and \_\_\_\_\_  
(herein called the Grievant), in settlement of matters raised by Grievant the nature  
of which is \_\_\_\_\_  
(the "Grievance"). The parties herein agree that the below stated terms serve to  
settle and do resolve the Grievance as follows:

1. This agreement does not constitute an admission by Respondent of the  
violation of the Minnesota Human Rights Act, any local ordinance or any other federal  
or state statute or regulation or rule.

2. (Particular provisions of the settlement)

3. This agreement is voluntarily entered into by the below parties.

4. In consideration of Respondent's performance of the promises of Respondent  
contained herein, Grievant agrees not to pursue legal rights or remedies with federal,  
state or local agencies or in the courts, relative to the grievance. However, nothing  
contained herein shall be construed as a waiver by Grievant of any legal remedies under  
federal, state or local statutes or ordinances, relative to the Grievance, in the event  
that Respondent violates or fails to comply with the terms of this agreement.

5. Respondent and Grievant agree that the Cottage Grove Human Services Commission,  
and its representatives, shall have and has, no obligation or liability of any kind to  
Respondent or Grievant for any actual or alleged damage or injury to either or both of  
them resulting from the Grievance, this agreement, any act taken by the Cottage Grove  
Human Services Commission in connection with the Grievance pursuant to the No Fault

-2-

Grievance Procedure established by the Minnesota Department of Human Rights, or any violation or failure by Respondent or Grievant of any provisions of this agreement, and all claims of any such obligation or liability are hereby waived and released by Respondent and Grievant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Grievant

Addendum III

COTTAGE GROVE HUMAN SERVICES COMMISSION

GRIEVANT INFORMATION SHEET

Your contact with the Cottage Grove Human Services Commission will allow for a process to be followed to informally address the concerns raised by you. The Commission representative will now discuss with the respondent your concerns and the way you believe this matter could be resolved. You will be advised of the outcome. The purpose of the No Fault Grievance process is to informally resolve the situation at the local level. The goal is a better understanding by you and the respondent of the situation and a mutual resolution of the problem.

The grievance process with the Cottage Grove Human Services Commission should take place within four months of the date of the alleged discrimination practice. If, after four, but before six months, the matter has not been resolved, you should consider filing an official charge of discrimination against the respondent with the State Department of Human Rights in order to protect your rights.

IF YOU DO NOT FILE AN OFFICIAL CHARGE OF DISCRIMINATION WITHIN SIX (6) MONTHS OF THE DATE OF THE ALLEGED DISCRIMINATION PRACTICE, YOU WILL LOSE YOUR RIGHT TO CHARGE AN UNFAIR DISCRIMINATORY PRACTICE.

At any time that you wish to discontinue the informal grievance process, you have the right to contact the Intake Unit, State Department of Human Rights, 240 Bremer Building, St. Paul, Minnesota, 55101 or telephone 296-5663, for filing of an official charge. If you file a formal charge, you should notify the Cottage Grove Human Services Commission representative with whom you have been working. Upon notification of your intention to file a formal charge, the Cottage Grove Human Services Commission will not assist you in filing a formal charge. Assistance will be given by the Intake Unit at the State Department of Human Rights.