

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 20th day of August, 1980, at 7:33 o'clock P.M., C.D.T.

The following members were present: Acting Mayor Denzer
 Councilwoman Berndt
 Councilman Amundson
 Councilman Hammero
 Mayor Peterson (arrived 7:53 P.M.)

And the following were absent: None

Acting Mayor Denzer presided over the meeting.

The minutes of the August 6, 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. 80-133

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL
AGENDA OF AUGUST 20, 1980

BE IT RESOLVED, that Ordinance No. 338, An Ordinance for the City of Cottage Grove, Washington County, Minnesota, Amending the City Code, Chapter 28, Relating to Temporary Conditional Use Permits; and that a license application from Richard Weber's Wood Delivery for a solicitor's license be approved.

Passed this 20th day of August, 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 Hammero, and Acting Mayor Denzer. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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

ORDINANCE NO. 339

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE AMENDING
THE CITY CODE, CHAPTER 8 RELATING TO ZONING

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

SECTION I. AMENDMENT. "The Code of the City of Cottage Grove, Minnesota, is hereby amended by amending Chapter 28, Article I, Section 28-6, to read as follows:

The Official Zoning Map shall be amended to change the classification of the hereinafter described property from its present classification of "B-2, Retail Business" to "R-1, Rural Residential":

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The North 327.35 feet of the South 1,006.5 feet of the Southeast One Quarter of the Northeast One Quarter of Section Thirty-Six, Township Twenty-Seven North, Range Twenty-One West, Washington County, Minnesota, subject to State Highway No. 95, over the East 33 feet thereof".

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 20th day of August, 1980.

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

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 petition to vacate certain streets in the Langdon Addition, 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 Acting Mayor then opened the hearing for consideration of any comments or objections.

Various questions were asked as to who were the adjoining propertyowners and if all people were notified. Also, if this might create in the future a half of a street. The Council was advised as to who the propertyowners were and that they were all notified of the hearing and that no half street could be created in the future.

There being no further comments or objections, the Acting Mayor closed the hearing.

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

RESOLUTION NO. 80-134

A RESOLUTION VACATING A PORTION OF PUBLIC STREETS

WHEREAS, Resolution No. 80-99 was passed on July 16, 1980, citing a hearing for vacation of certain streets located in a plat known as the Langdon Addition, and,

WHEREAS, pursuant to said resolution, notice was published in the Washington County Bulletin on July 24, 1980 and July 31, 1980 giving notice of the hearing to vacate said streets, and

WHEREAS, a public hearing was held on August 20, 1980, at the Cottage Grove City Hall, and

WHEREAS, no objections were made to the vacation of the portion of streets

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involved, and

WHEREAS, it is in the public interest to vacate those streets not used for public roadway purposes;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, Washington County, Minnesota, that all of the following described streets located in the plat of Langdon which property is not being used for public roadway purposes, be and the same hereby is, vacated;

All of C Street; all of D Street; Dodge Street South from Lake Street South to the Chicago, Milwaukee, St. Paul and Pacific Railroad; Shepard Street from Lake Street South to the Chicago, Milwaukee, St. Paul and Pacific Railroad; the West Half of Philips Street, from Lake Street South to the Chicago, Milwaukee, St. Paul and Pacific Railroad; South Side of Lake Street, from Shepard Street to Philips Street; Market Street from Lake Street South to the intersection with Shepard Street and D Street.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to send the certified copy of this resolution to the Registrar of Deeds in and for the County of Washington.

Passed this 20th day of August, 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: Councilwoman Berndt, Councilman Hamnero, Councilman Amundson, and Acting Mayor Denzer. 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 vacating of certain streets in a plat known as "Houses Island View", which affidavit was examined, approved, and order placed on file in the office of the City Clerk.

The Clerk than read aloud the Notice of Hearing.

The Acting Mayor then opened the hearing for consideration of any comments or objections.

The City Attorney advised the Council as to why the request was made to vacate a portion of River Drive now 113th Street South in as much as when it was originally laid out, it was not constructed or laid out as it was platted. The City is now trying to have all the property lines changed to correspond to the street as it is now laid out.

There being no further objections or comments, the Acting Mayor closed the hearing.

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

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RESOLUTION NO. 80-135

RESOLUTION VACATING A PORTION OF PUBLIC STREET

WHEREAS, Resolution No. 80-103 was passed on July 16, 1980 citing a hearing for the vacation of a portion of public roadway, known as "River Drive" located in a plat known as "House's Island View", and

WHEREAS, pursuant to said Resolution, notice was published in the Washington County Bulletin on July 24, and July 31, 1980 giving notice of the hearing to vacate the roadway, and

WHEREAS, a public hearing was held on August 20, 1980 at the Cottage Grove City Hall, and

WHEREAS, no objections were made to the vacation of the portion of the roadway involved, and

WHEREAS, it is in the public interest to vacate the portion of the roadway not used for public roadway purposes,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, Washington County, Minnesota, that the portion of the "River Drive" which is legally described in Exhibit "A" which is attached hereto and made a part hereof, which property is not being used for public roadway purposes, be, and the same hereby is, vacated.

Passed this 20th day of August, 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, Councilwoman Berndt, and Acting Mayor Denzer. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that item V-C, the hearing on the proposal to issue industrial development revenue bonds for Kinder-Care Learning Center, be tabled, made by Councilman Amundson, Seconded by Councilwoman Berndt. Carried viva voce.

Mayor Peterson arrived at 7:53 P.M. and presided over the remainder of the meeting.

Motion that the propose to issue industrial development revenue bonds for Kinder-Care Learning Center be removed from the table, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

The Clerk presented affidavits showing publication in the official newspaper and a newspaper of general circulation of the Notice of Hearing to be held on this date and at this time with respect to the petition of LA Partnership to have the City assist in financing by the issuance of industrial development revenue bonds the construction of a 5,000 square foot facility to be used as a Kinder-Care Learning Center in the City of Cottage Grove, 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.

The staff advised the Council that this hearing was being held in compliance with law. All notices have been published.

After a lengthy discussion, Councilman Amundson introduced the following resolution and moved for its adoption:

RESOLUTION NO. 80-_____

A RESOLUTION RECITING A PROPOSAL FOR A COMMERCIAL FACILITIES DEVELOPMENT PROJECT GIVING PRELIMINARY APPROVAL TO THE PROJECT PURSUANT TO THE MINNESOTA MUNICIPAL INDUSTRIAL DEVELOPMENT ACT AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR APPROVAL OF SAID PROJECT TO THE COMMISSIONER OF SECURITIES OF THE STATE OF MINNESOTA AND AUTHORIZING THE PREPARATION OF NECESSARY DOCUMENTS AND MATERIALS IN CONNECTION WITH SAID PROJECT

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

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 petition made by Peter J. Hoeffel to have the City of Cottage Grove finance the cost for the acquisition of land, construction of a railroad spur, and the construction of a facility to be leased by Peter J. Hoeffel primarily to the Horton-Earl Company to be used as an office and warehouse facility, 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 public hearing for consideration of any comments or objections.

The purpose of the hearing was explained, the nature of the project, and proposed revenue bonds were discussed. The draft copy of the application to the Commissioner of Securities with all attachments and exhibits were available, and all persons present who desired to do so were afforded an opportunity to express their views with respect to the proposal to undertake and finance the project.

Mr. Peter Hoeffel appeared on behalf of himself. Various questions were asked of Mr. Hoeffel regarding possible handling of as-is materials.

Mr. Anthony Susla appeared before the Council requesting that all precautions should be taken so that no hazardous materials would be allowed to escape from the building and travel to the adjoining residential area.

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After all persons who wished to do so, had stated their views on the proposal, the Mayor declared the public hearing to be closed.

After some discussion, Councilman Denzer introduced the following resolution and moved for its adoption:

RESOLUTION NO. 80-136

RESOLUTION GIVING PRELIMINARY APPROVAL TO A PROJECT UNDER
THE MUNICIPAL INDUSTRIAL DEVELOPMENT ACT: REFERRING THE
PROPOSAL TO THE COMMISSIONER OF SECURITIES FOR APPROVAL;
AND AUTHORIZING PREPARATION OF NECESSARY DOCUMENTS

BE IT RESOLVED, by the City Council of the City of Cottage Grove, Minnesota (the Municipality), as follows:

SECTION 1.

Recitals and Findings

1.1 This Council has received a proposal that the Municipality finance a portion or all of the cost of a proposed project under Minnesota Statutes, Chapter 474 (the Act), consisting of the acquisition of land, bringing in a railroad spur and the construction of an office and warehouse facility (the Project) by Peter J. Hoeffel an individual residing in Hastings, Minnesota (hereinafter the Borrower), to be leased by the Borrower primarily to Horton-Earl Co., a Minnesota corporation, and used in its business of distributing chemicals and powders for industrial use, and others for compatible uses.

1.2 At a public hearing, duly noticed and held on August 20, 1980, in accordance with the Act, on the proposal to undertake and finance the Project, all parties who appeared at the hearing were given an opportunity to express their views with respect to the proposal to undertake and finance the Project. Based on such hearing and such other facts and circumstances as this Council deems relevant, this Council hereby finds, determines and declares as follows:

(a) The welfare of the State of Minnesota requires active promotion, attraction, encouragement and development of economically sound industry and commerce through governmental acts to prevent, so far as possible, emergence of blighted lands and areas of chronic unemployment, and the State has encouraged local government units to act to prevent such economic deterioration.

(b) The Project would further the general purposes contemplated and described in Section 474.01 of the Act.

(c) The existence of the Project would add to the tax base of the Municipality, the County and School District in which the Project is located and would provide increased opportunities for employment for residents of the Municipality and surrounding area.

(d) This Council has been advised by representatives of the Borrower that conventional, commercial financing to pay the cost of the Project is available

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only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but that with the aid of municipal borrowing, and its resulting lower borrowing cost, the Project is economically more feasible.

(e) This Council has also been advised by the Borrower, that on the basis of their discussions with potential buyers of tax-exempt bonds, revenue bonds of the Municipality (which may be in the form of a commercial development revenue note or notes) could be issued and sold upon favorable rates and terms to finance the Project.

(f) The Municipality is authorized by the Act to issue its revenue bonds to finance capital projects consisting of properties used and useful in connection with a revenue producing enterprise, such as that of the Borrower, and the issuance of such bonds by the Municipality would be a substantial inducement to the Borrower to acquire and construct the project.

SECTION 2

Preliminary Approval of the Project

2.1. On the basis of information given the Municipality to date, it appears that it would be desirable for the Municipality to issue its revenue bonds under the provisions of the Act to finance the project in an amount not exceeding \$785,000.

2.2. It is hereby determined to proceed with the Project and its financing and the Project is hereby given preliminary approval by the Municipality and the issuance of revenue bonds of the Municipality in such amount is hereby approved, subject to the approval of the Project by the Commissioner of Securities, the fulfillment of such other conditions as the Municipality may require with respect to the issuance of its bonds in connection with the Project, and the mutual agreement of this Council and the Borrower as to the details of the bond issue and provisions for their payment. In all events, it is understood, however, that the bonds of the Municipality shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the Municipality, except the Project, and each bond, when, as and if issued, shall recite in substance that the bond, including interest thereon, is payable solely from the revenues received from the Project and property pledged to the payment thereof, and shall not constitute a debt of the Municipality.

2.3. The form of the application to the Commissioner of Securities, with attachments, is hereby approved, and the Mayor and City Clerk-Administrator are authorized to execute said documents in behalf of the Municipality.

2.4 In accordance with Section 474.10, Subdivision 7a of the Act, the Mayor and City Clerk-Administrator are hereby authorized and directed to cause said Application to be submitted to the Commissioner of Securities for approval of the Project. The Mayor, City Clerk-Administrator, City Attorney and other officers, employees, and agents of the Municipality are hereby authorized and directed to provide the Commissioner with any preliminary information the Commissioner may need for this purpose, and the City Attorney is authorized to initiate and assist in the preparation of such documents as may be appropriate to the Project, if it is approved by the Commissioner.

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SECTION 3

General

3.1. If the bonds are issued and sold, the Municipality will enter into a lease, sale or loan agreement or similar agreement satisfying the requirements of the Act (the Revenue Agreement) with the Borrower. The lease rentals, installment sale payments, loan payments or other amounts payable by the Borrower to the Municipality under the Revenue Agreement shall be sufficient to pay the principal, interest and redemption premium, if any, on the bonds as and when the same shall become due and payable.

3.2. The Borrower has agreed and it is hereby determined that any and all direct and indirect costs incurred by the Municipality in connection with this Project, whether or not the Project is carried to completion, and whether or not approved by the Commissioner of Securities, and whether or not the Municipality by resolution authorizes the issuance of the bonds, will be paid by the Borrower upon request.

3.3 The Mayor and City Clerk-Administrator are directed, if the bonds are issued, and sold, thereafter to comply with the provisions of Minnesota Statutes, Section 474.01, Subdivision 8.

Passed this 20th day of August, 1980.

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

A Mr. Paul A. Becker, who is a Boy Scout working for his Eagle badge, appeared before the Council and presented a report on a billboard study he did.

Motion that the Council accept Mr. Paul A. Becker's report on the billboard signs located along Highway 10/61 in the City with thanks and that a letter of commendation be sent to him, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

The Council acknowledged a letter from Mr. David Borash regarding the incident he had at Hamlet Park with the Cottage Grove Police Department. No action taken.

The Council reviewed the claim of Mr. Anthony Susla for the loss of eye glasses and damage to his front screen door in an incident he had with the Cottage Grove Police Department.

Motion that the claim of Mr. Anthony Susla be denied, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

Mr. Carl Carlson on behalf of Mr. William Kropelnicki, requested the Council to have the City Engineer make a study on the drainage in East Cottage Grove on Lawton Avenue.

Motion that the Council authorize the City Engineer to make a study on the

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drainage problem in East Cottage Grove on Lawton Avenue with the provision that Mr. Kropelnicki indicate to the City that he will pay for the cost of this study, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

A letter from Mr. Roger O'Boyle regarding his request for the City to purchase a four wheen drive vehicle and also a trail bike for the Police Department was read. Mayor directed that staff write Mr. O'Boyle acknowledging receipt of his letter.

A letter from Mr. Thomas Kotnour of 8689 Hillside Trail was reviewed. Staff was directed to respond to Mr. Kotnour's letter.

Motion that the ordinance for the City of Cottage Grove Amending the City Code with Respect to Weapons be tabled and referred back to the Public Safety Commission, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

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

RESOLUTION NO. 80-137

RESOLUTION AUTHORIZING FORMATION OF A GRANT APPLICATION AND
EXECUTION OF GRANT AGREEMENT FOR THE SOUTH COMMUNITIES
YOUTH SERVICE BUREAU

BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that the City of Cottage Grove act as sponsoring agency or unit of government and grantee for the project titled South Communities Youth Service Bureau, to be conducted by the South Communities Board of Directors during the period from January 1, 1981 through December 31, 1981, and

BE IT FURTHER RESOLVED, that the City Administrator, Carl F. Meissner, is hereby authorized to apply to the Crime Control Planning Board for funding of the project and execute such agreements as are necessary to implement the project, on behalf of the City of Cottage Grove.

Passed this 20th day of August, 1980.

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

The Council reviewed the Parks, Recreation and Natural Resources Commission minutes of August 4, 1980. Council acknowledged the recommendation regarding drinking in Oakwood Park and requested they continue to study this matter.

Council also reviewed their recommendation regarding the Jamaica Ridge Preliminary Plat Review.

The Council reviewed the Economic Development Commission minutes of August 9, 1980. No further action required.

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The Planner gave a report on the Park Dedication Fees and requested the Council take no action until the City has completed their revision of the Comprehensive Plan which, at that time, the revision of the City's ordinances will take place. The Council accepted this recommendation.

The City Attorney advised Council that he would like to make a report regarding the Cottage Grove Police Association suit against the City and requested that this be made in executive session.

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

RESOLUTION NO. 80-138

A RESOLUTION APPROVING PAYMENT TO THE COURT APPOINTED COMMISSIONERS
IN THE CONDEMNATION OF CERTAIN LANDS ON THE SOUTH FRONTAGE ROAD

WHEREAS, the City of Cottage Grove filed a petition for the condemnation of certain lands for the construction of the South Frontage Road to U.S. Highway 61 in said City; and

WHEREAS, all of the acquisition of those properties have been completed, and

WHEREAS, the District Court for the Tenth Judicial District ordered that the City compensate the Commissioners at the rate of \$50.00 per day as compensation of each of the Commissioners for each and every day occupied by them in the performance of their duties as Commissioners, and make reimbursement for mileage actually travelled in their own conveyances, at the rate of \$.15 per mile,

NOW, THEREFORE, BE IT RESOLVED, that the City Treasurer be authorized to make the following disbursements as compensation to the Court-appointed Commissioners:

Peter Thompson	\$57.50
Edward Whitman	\$52.25
Willard Hagerty (Payable to the Estate of Willard Hagerty)	\$51.50

Passed this 20th day of August, 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.

The City Attorney advised Council as to what was happening in regards to the suit against certain employees by a Donald O. Lende.

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

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RESOLUTION NO. 80-139

RESOLUTION AUTHORIZING CITY TO DEFEND THE CITY BUILDING INSPECTOR
AND CITY ATTORNEY IN THE MATTER OF DONALD O. LENDE, PLAINTIFF VS.
RONALD A. SCHMIDT, MARY JANE SCHMIDT, EVERETT ANDERSON, AND
JACK W. CLINTON

WHEREAS, Donald O. Lende has served upon Jack W. Clinton, and attempted service on Everett Anderson, a Summons and Complaint demanding the amount of Forty Thousand (\$40,000.00) Dollars alleging that Anderson exceeded his authority in his capacity as building inspector, and that Clinton was in a conflict of interest in prosecuting Lende on behalf of the City of Cottage Grove; and

WHEREAS, the City Council has the power and authority to provide legal counsel for its employees and officers for acts committed in the discharge of their duties with the 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, that the City Attorney's office shall be, and hereby is, authorized and directed to enter an appearance for, and on behalf of Everett Anderson, Building Inspector for the City of Cottage Grove, and Jack W. Clinton, City Attorney, in the matter of Donald O. Lende vs. Ronald A. Schmidt, Mary Jane Schmidt, Everett Anderson and Jack W. Clinton.

Passed this 20th day of August, 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, Councilwoman Berndt, Councilman Denzer, 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. 80-140

RESOLUTION AWARDDING BID - JAMAICA/TRUNK HIGHWAY 61 COMMERCIAL
AREA STREETS AND UTILITIES

WHEREAS, it appears that Richard Knutson, Inc. is the lowest responsible bidder, and

WHEREAS, it is the recommendation of the Engineer that the contract be awarded to Richard Knutson, 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 Richard Knutson, Inc. in the amount of \$388,144.50 for the installation of Streets and utilities in the Jamaica/Trunk Highway 61 Commercial Area.

Passed this 20th day of August, 1980.

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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.

Motion that the Council approve Change Order No. 1 for item 5 of the bid with Richard Knutson, Inc. for the construction of the Jamaica/Trunk Highway 61 Commercial Area streets and utilities in the amount of \$5,397.50, made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

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

RESOLUTION NO. 80-141

RESOLUTION AWARDDING BID - HINTON HEIGHTS FIRST ADDITION, PINETREE POND EAST SECOND ADDITION, AND JAMAICA/TRUNK HIGHWAY 61 COMMERCIAL AREA STREET LIGHTING

WHEREAS, it appears that Donovan Construction Company is the lowest responsible bidder, and

WHEREAS, it is the recommendation of the Engineer that the contract be awarded to Donovan 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 Donovan Construction Company in the amount of \$134,373.80 for the installation of street lighting in Hinton Heights First Addition, Pinetree Pond East Second Addition and Jamaica/Trunk Highway 61 Commercial Area.

Passed this 20th day of August, 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.

The Council reviewed the City's financial report.

Motion that the City's Financial Report for 1979 be accepted and ordered placed on file in the office of the City Clerk, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

The Mayor gave a report on the meeting with the Governor regarding the reduction in State Aid. No action taken.

Motion that the Subdivision Agreement between Secure Properties, Inc. and the City regarding the Highland Town Homes Subdivision be approved and that the Mayor and City Clerk are hereby authorized to sign said agreement, made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

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Motion that the resignation of Mr. Fred Sauer from the Public Health, Safety and Welfare Commission be accepted with regret and that a letter of appreciation be sent to him, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried viva voce.

Motion that Ms. Donna Faulkner be appointed to the Economic Development Commission for a term of office to expire on January 1, 1983, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried viva voce.

The Council reviewed the request by the City Administrator to post notices for the hiring of Fire Chief, Assistant Fire Chief and six (6) fire fighters. The Administrator was directed to prepare a resolution setting forth the salary and other benefits.

The Council reviewed the memorandum from the City Administrator regarding the 1981 proposed budget. The Mayor called the first hearing on the budget for Tuesday, September 2, 1980 at 7:30 o'clock P.M. at the City Hall.

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

Motion that the Council go into executive session, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Council went into closed session at 10:15 P.M.

The entire transcript of the executive session is on tape and on file in the office of the City Clerk and will be open to public inspection upon completion of the court trial.

The Council returned from executive session at 11:30 P.M.

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

The meeting adjourned at 11:31 P.M. C.D.T.

Respectfully submitted,

Carl F. Meissner
Carl F. Meissner
Clerk Administrator

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 12 1980

Jean Anderson Howe
Secretary of State

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