

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 19th day of November, 1980, at 7:30 o'clock P.M.

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

And the following were absent:                    Mayor Peterson (excused)

Acting Mayor Denzer presided over the meeting.

The minutes of the November 5, 1980 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. 80-187

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL  
AGENDA OF NOVEMBER 19, 1980

BE IT RESOLVED, that Resolution No. 80-188, Resolution Granting Minor Subdivision to Paul Christian; and license applications from Cottage View Drive In, amusement; United Artists Theater, amusement; Jerry's Cafe, cigarette; Applebaum's Food Market, cigarette; Woody's Restaurant, cigarette; Harry T. Sheldon's Restaurant, cigarette; Walgreen's Drug Store, cigarette; Superamerica Station, cigarette; Cottage Grove Liquors, cigarette; Bituminous Roadway's, Inc., general asphalt contractor; and Roofings, Inc., roofing and sheet metal contractor, be approved.

Passed this 19th day of November, 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.

The Clerk presented an affidavit showing publication in the official newspaper of the Notice of Hearing to be held on this date and at this time with respect to the application of the Cottage Grove Racquet Club for an "On Sale" Non-intoxicating Malt Liquor License for 1981. 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. Staff advised the Council that there had been no complaints regarding the applicant's license and also that the hearing was being held in compliance with all applicable laws. There being no further comments or objections, the Acting Mayor closed the hearing.

Motion that the application of the Cottage Grove Racquet Club for an "On Sale"

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Non-intoxicating Malt Liquor License for 1981 be approved, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried 3 ayes, 1 nay. Councilman Amundson voting nay.

The City Administrator presented to the Council affidavits showing publication in the official newspaper and the Commercial West of a notice of sale of \$1,500,000 general obligation Improvement Bonds of 1980 of the City, for which sealed bids were to be received and considered at this meeting in accordance with the resolution adopted by the City Council on November 5, 1980. Said affidavits were examined and found satisfactory and directed to be placed on file in the office of the Administrator.

The Administrator then announced that three sealed bids had been received pursuant to said notice of call for bids. The bids were then opened, read and tabulated, and the highest and best bid of each bidder was found to be as follows:

<u>Name of Bidder</u>	<u>Interest Rates</u>	<u>Total Interest Cost</u> <u>- Net Average Rate</u>
1st National Bank of St. Paul	7.9775%	\$ 706,008.75
Dain Bosworth, Inc.	7.94685%	\$ 703,296.25
The Northern Trust Company	8.0683%	\$ 714,053.12

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

RESOLUTION NO. 80-189

RESOLUTION AUTHORIZING ISSUANCE, AWARING SALE, PRESCRIBING  
THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF  
\$1,500,000 GENERAL OBLIGATION IMPROVEMENT BONDS OF 1980

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

Section 1. Authorization and Sale.

1.01. This Council, by a resolution adopted November 5, 1980, authorized the issuance and public sale of \$1,500,000 General Obligation Improvement Bonds of 1980 of the City, to finance the cost of the local improvements designated in Section 1 of said resolution. Said resolution is incorporated herein by reference.

1.02. Notice of sale of the Bonds has been duly published, and the Council, having examined and considered all bids received pursuant to the published notice, does hereby find and determine that the most favorable bid received is that of Dain Bosworth, Inc. of St. Paul, Minnesota, and associates, to purchase the bonds at a price of \$1,475,010.00 plus accrued interest on all bonds to the day of delivery and payment, on the further terms and conditions hereinafter set forth.

1.03. The sale of the bonds is hereby awarded to said bidder, and the Mayor and City Administrator are hereby authorized and directed on behalf of the City to

execute a contract for the sale of the bonds in accordance with the terms of said bid. The good faith check of the successful bidder shall be retained by the City Treasurer until the bonds have been delivered and the purchase price paid. The good faith checks of the other bidders shall be returned to them forthwith.

Section 2. Bond Terms, Execution and Delivery

2.01. The bonds shall be designated General Obligation Improvement Bonds of 1980, shall be dated December 1, 1980, shall be issued in the denomination of \$5,000 each, numbered serially from 1 to 300, inclusive, shall mature serially on March 1, in the respective years and amounts stated below, and shall bear interest from date of issue until paid or duly called for redemption at the respective annual rates set forth opposite such years and amounts, as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
1983	\$200,000	7.25%	1988	\$ 75,000	7.60%
1984	\$200,000	7.30%	1989	\$100,000	7.75%
1985	\$200,000	7.35%	1990	\$100,000	7.90%
1986	\$200,000	7.40%	1991	\$100,000	8.00%
1987	\$225,000	7.50%	1992	\$100,000	8.20%

2.02. Bonds maturing in the years 1983 through 1991 shall not be subject to redemption prior to maturity but bonds maturing in the year 1992 shall each be subject to redemption and prepayment at the option of the City, in inverse order of serial numbers, on March 1, 1991 and any interest payment date thereafter at a price equal to the principal amount thereof and accrued interest to the date of redemption.

At least thirty days prior to the date set for redemption of any bond prior to its stated maturity date, the City Administrator shall cause notice of the call for redemption thereof to be published in a daily or weekly periodical published in a Minnesota city of the first class, or its metropolitan area, which circulates throughout the state and furnishes financial news as a part of its service, and mailed to the bank at which principal of and interest on the bonds are then payable and to the holder thereof, if known to the City Administrator, but no defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any bond. The City Administrator is hereby authorized and directed to maintain a register of the names and addresses of the holders of prepayable bonds who desire to register the serial numbers of their bonds with him for the purpose of receiving such mailed notice.

2.03. The interest on the bonds shall be payable semiannually on each March 1 and September 1, commencing on September 1, 1981. The principal of and interest on the bonds shall be payable at American National Bank and Trust, St. Paul, Minnesota, which is designated as paying agent, or in the event of its resignation, removal or incapability of acting as paying agent, at the office of such successor paying agent as may be appointed by the Council.

2.04. The bonds, appurtenant interest coupons and certification of legal opinion shall be in substantially the following form:

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UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF WASHINGTON

CITY OF COTTAGE GROVE

GENERAL OBLIGATION IMPROVEMENT BOND OF 1980

NO.

\$5,000

KNOW ALL MEN BY THESE PRESENTS THAT the City of Cottage Grove, a duly organized and existing municipal corporation of the County of Washington, State of Minnesota, acknowledges itself to be indebted and for value received promises to pay bearer upon presentation and surrender of this bond, the sum of FIVE THOUSAND DOLLARS, on the 1st day of March, 19 , or, if this bond is redeemable as provided below, then on a date prior thereto on which it shall have been duly called for redemption, and to pay interest on said principal sum at the rate of percent ( %) per annum, from the date hereof until said principal sum is paid, or if this bond is redeemable, until it has been duly called for redemption, payable semiannually on each March 1 and September 1, commencing September 1, 1981, interest to maturity being payable in accordance with and upon presentation and surrender of the interest coupons appurtenant hereto. Both principal and interest are payable at American National Bank & Trust, in St. Paul , Minnesota, in any coin or currency of the United States of America which on their respective dates of payment is legal tender for payment of public and private debts. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

This bond is one of an issue in the total principal amount of \$1,500,000, all of like date and tenor except as to serial number, maturity date, interest rate and redemption privilege, all issued for the purpose of financing the construction of local improvements heretofore duly ordered to be made within the City in accordance with the provisions of Minnesota Statutes, Chapter 429, and is issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota thereunto enabling, and pursuant to resolutions duly adopted by the City Council.

Bonds of this issue maturing in 1991 and earlier years are payable on their respective stated maturity dates without option of prior payment, but bonds having stated maturity dates in 1992 are each subject to redemption and prepayment at the option of the City and in inverse order of serial numbers on March 1, 1991 and any interest payment date thereafter, at par and accrued interest. At least thirty days prior to the date set forth for redemption of any Bond prior to its stated maturity date, notice of the call for redemption will be published in a daily or weekly periodical published in a Minnesota city of the first class, or its metropolitan area, which circulates throughout the state and furnishes financial news as a part of its service, and mailed to the bank at which the Bonds are then payable and to the holder thereof, if known, but no defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any Bond. Holders of prepayable bonds who desire to receive such notice may register their names and addresses and the serial numbers of their bonds with the Cottage Grove City Administrator.

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IT IS HEREBY CERTIFIED, RECITED, CONVENANTED AND AGREED that all acts, conditions, and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required; that prior to the issuance hereof the City has convenanted and agreed to levy special assessments upon property specially benefited by the local improvements financed by the bonds, which assessments will be collectible for the years and in amounts sufficient to produce sums not less than 5% in excess of the principal of and interest on the bonds of this issue when due, and has appropriated such special assessments to the payment of such principal and interest; that if necessary for payment of such principal and interest, ad valorem taxes are required to be levied upon all taxable property in the City, without limitation as to rate or amount; and that the issuance of this bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF the City of Cottage Grove, Washington County, State of Minnesota, by its City Council, has caused this Bond to be executed by the facsimile signature of the Mayor and the manual signature of the City Administrator, and by a printed facsimile of the official seal of the City, has caused the interest coupons appurtenant hereto and the certificate appearing on the reverse side hereof to be executed and authenticated by the facsimile signatures of said officers, and has caused this Bond to be dated as of December 1, 1980.

Attest:

\_\_\_\_\_  
City Administrator

(FACSIMILE SEAL)

\_\_\_\_\_  
(Facsimile signature)

Mayor

(Form of Coupon)

No.

§

Unless the bond described below is subject to and has been duly called for earlier redemption, on the 1st day of September (March), 19 , the City of Cottage Grove, Washington County, Minnesota, will pay to bearer at American National Bank and Trust Company, in St. Paul , Minnesota, the amount shown hereon in lawful money of this United States of America, for the interest then due on its General Obligation Improvement Bond of 1980 dated as of December 1, 1980, No. \_\_\_\_\_.

(Facsimile signature)  
City Administrator

(Facsimile signature)  
Mayor

(Form of certificate to be printed on the reverse side of each bond, following a full copy of the legal opinion)

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We certify that the above is a full, true and correct copy of the legal opinion rendered by bond counsel on the issue of bonds of the City of Cottage Grove, Minnesota, which includes the within bond, dated as of the date of delivery of and payment for the bonds.

(Facsimile signature)  
City Administrator

(Facsimile signature)  
Mayor

2.05 The Bonds shall be prepared under the direction of the City Administrator and shall be executed on behalf of the City by the signatures of the Mayor and City Administrator, and shall be sealed with the official corporate seal of the City; provided that one such signature and the seal may be facsimiles. The interest coupons attached to each Bond and the legal opinion certificate shall be executed and authenticated by the printed facsimile signatures of the Mayor and the City Administrator. When the Bonds have been so executed and authenticated, they shall be delivered by the City Administrator to the purchaser thereof upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and said purchaser shall not be obligated to see to the application of the purchase price.

Section 3. 1980 Improvement Construction Account. There is hereby established on the official books and records of the City a 1980 Improvement Construction Account of the Special Assessment Fund of the City, and the City Administrator shall continue to maintain such Account until payment of all costs and expenses incurred in construction of the improvements for which it is established. To said Account there shall be credited from the proceeds of the Bonds an amount equal to the estimated cost of improvements less such amount as was established to be necessary to pay interest incurred during construction; and such other funds as may from time to time be appropriated by this Council; and from said Account there shall be paid all costs and expenses of said improvements. There shall also be credited to said Account all special assessments collected with respect to said improvements until all costs of said improvements have been fully paid. After payment of all costs incurred with respect to said improvements, the Account shall be discontinued and any Bond proceeds remaining therein may be transferred to the other funds or accounts established for construction of other improvements instituted pursuant to Minnesota Statutes, Chapter 429. All special assessments on hand in said Account when terminated or thereafter received, and any Bond proceeds not so transferred, shall be credited to the 1980 Improvement Bond Account in the Debt Service Fund of the City.

Section 4. 1980 Improvement Bond Account. The Bonds to be issued shall be payable from a separate and special 1980 Improvement Bond Account of the Debt Service Fund of the City, which Account the City agrees to maintain until said Bonds have been paid in full. If the money in said Account should at any time be insufficient to pay principal and interest due on the Bonds, such amounts shall be paid from other moneys on hand in said Fund, or, if necessary, from the General Fund of the City, which shall be reimbursed therefor when sufficient money becomes available in said Account or Sinking Fund. The moneys on hand in said Account from time to time shall be used only to pay the principal of and interest on the Bonds. Into said Account shall be paid such amount of the proceeds of the Bonds as is estimated to be necessary to pay interest on the bonds during the construction period (\$141,281.75), all special assessments collected with respect to each improvement financed by the Bonds after the costs of it have been paid in full, and any excess bond proceeds, as provided in Section 3.

Section 5. Special Assessments. The City hereby covenants and agrees that, for the payment of the cost of improvements financed by the Bonds the City will do and perform all acts and things necessary for the final and valid levy of special assessments in the amount of \$2,178,307. The principal of said assessments shall be payable in annual installments, with interest on unpaid installments thereof from time to time at the rate of not less than 9 % per annum. It is presently estimated that the principal and interest on such special assessments will be collected in the following years and amounts:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1982	\$ 462,889	1987	\$ 315,854
1983	394,272	1988	296,249
1984	374,668	1989	276,644
1985	355,063	1990	257,039
1986	335,458	1991	237,435

In the event that any such assessment shall at any time be held invalid with respect to any lot or tract of land, due to any error, defect or irregularity in any action or proceeding taken or to be taken by the City or by this Council or by any of the officers or employees of the City, either in the making of such assessment or in the performance of any condition precedent thereto, the City hereby covenants and agrees that it will forthwith do all such further things and take all such further proceedings as shall be required by law to make such assessment a valid and binding lien upon said property.

Section 6. Pledge of Taxing Powers. The full faith and credit and taxing powers of the City are pledged to the payment of the Bonds and the interest thereon when due and, should the moneys on hand in the 1980 Improvement Bond Account and the Debt Service Fund ever be insufficient for said purpose, the City affirms its obligation to pay the Bonds and interest when due from moneys on hand in its General Fund, and if necessary to levy ad valorem taxes upon all taxable property in the City for this purpose, without limitation as to rate or amount. However, it is hereby estimated that the amounts of special assessments and interest to be made available in said Account pursuant to Section 4 will provide sums at

least 5% in excess of the amounts needed to meet when due the principal and interest payments on the Bonds, and consequently no ad valorem taxes are levied for this purpose at this time.

Section 7. Defeasance. When all of the Bonds issued and all coupons appertaining thereto have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds shall cease. The City may discharge its obligations with respect to any Bonds and coupons appertaining thereto which are due on any date by depositing with the paying agent on or before that date a sum sufficient for the payment thereof in full; or, if any Bond or coupon should not be paid when due, it may nevertheless be discharged by depositing with the paying agent a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligations with respect to any prepayable Bonds according to their terms, by depositing with the paying agent on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due, provided that notice of such redemption has been duly given as provided herein. The City may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such time and at such rates and maturing on such dates as shall be required to pay all principal, interest and redemption premiums to become due thereon to maturity or said redemption date.

Section 8. Registration of Bonds. The City Administrator is hereby authorized and directed to file a certified copy of this resolution with the County Auditor of Washington County, together with such additional information as he shall require, and to obtain from said County Auditor a certificate that the Bonds have been duly entered upon his bond register.



Section 9. Authentication of Transcript. The officers of the City and the County Auditor are hereby authorized and directed to prepare and furnish to the purchasers of the Bonds, and to the attorneys approving the legality thereof, certified copies of all proceedings and records relating to the Bonds and such other

affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Bonds, as the same appear from the books and records in their custody and control or as otherwise known to them, and all such certified copies, affidavits and certificates, including any heretofore furnished, shall be deemed representations of the City as to the correctness of all statements contained therein.

Section 10. Arbitrage.

10.01. The City covenants and agrees with the holders from time to time of the bonds herein authorized, that it will not take, or permit to be taken by any of its officers, employees or agents, any action which would cause the interest payable on the Bonds to become subject to taxation under the United States Internal Revenue Code; and that it will take, or it will cause its officers, employees, or agents to take, all affirmative actions within its powers which may be necessary to insure that such interest will not become subject to taxation under the Internal Revenue Code. Internal Revenue Code as used herein includes the Code and all regulations, amended regulations, and proposed regulations issued thereunder, as now existing or as hereafter amended or proposed.

10.02. The Mayor and the City Administrator being the officers of the City charged with the responsibility for issuing the Bonds pursuant to this resolution, are authorized and directed to execute and deliver to the purchaser a certification in order to satisfy the provisions of Section 103(c) of the Internal Revenue Code and the regulations, existing and proposed, promulgated thereunder.

Passed this 19th day of November, 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.

Mr. Conway Olson appeared before the Council regarding the adoption of a proposed ordinance regulating the trapping of animals. Mr. Olson presented to the Council three sample ordinances which he had received from the League of Minnesota Cities.

Acting Mayor Denzer directed that this matter be referred to the Public Health, Safety and Welfare Commission for their review and recommendation. It was also directed that the Commission consider the application of this proposed ordinance city wide and that the rural residents be contacted for their comments.

Motion that the application of Applebaum's Food Market for an "Off Sale" Non-intoxicating Malt Liquor License for their store located at 7280 Pt. Douglas Drive be approved, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried 3 ayes, 1 nay. Councilman Amundson voting nay.

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The Council reviewed the notice received from the Minnesota Waste Management Board regarding the proposed meeting to be held on December 4, 1980 at the Stillwater High School Theater in reference to the Hazardous Waste Disposal Site Search criteria.

Motion that Mr. Richard Lewis and Councilwoman Jill Berndt be appointed as representatives to serve on the Regional Hazardous Waste Committee, made by Councilman Hamnero. Seconded by Councilman Amundson. Carried viva voce.

The Council was advised by staff that the resolution approving the Minor Subdivision for 10,000 Auto Parts has not been prepared due to the failure of the applicant to submit a proper legal description.

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

RESOLUTION NO. 80-190

RESOLUTION ACCEPTING WORK AND AUTHORIZING FINAL PAYMENT FOR  
WOODRIDGE PARK BUILDING

WHEREAS, pursuant to a written contract signed with the City of Cottage Grove, E.D.S. Construction Company has satisfactorily completed the construction of the Woodridge Park Building 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 \$6,490.38.

Passed this 19th day of November, 1980.

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

Motion that the foregoing resolution be amended to change the last paragraph to read as follows:

\*\* BE IT FURTHER RESOLVED, that the City Engineer and the Director of Parks and Recreation meet with the contractor, E.D.S. Construction Company, to determine the amount that is proper to be assessed as a penalty against the contractor for the lateness in completing the construction. Which penalty is to be deducted from the final contract payment which is \$6,490.38.

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

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Upon vote being taken thereon, the following voted in favor of the original resolution as amended: Councilwoman Berndt, Councilman Amundson, Councilman Hammero, and Acting Mayor Denzer. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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

RESOLUTION NO. 80-191

RESOLUTION ACCEPTING WORK AND AUTHORIZING FINAL PAYMENT  
FOR WATER AND SEWER EXTENSIONS IN HINTON HEIGHTS 1ST ADDITION

WHEREAS, pursuant to a written contract signed with the City of Cottage Grove, Arcon Construction Company has satisfactorily completed the construction of the water and sewer extensions in the Hinton Heights 1st Addition 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 \$26,664.46.

Passed this 19th day of November, 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: Councilwoman Berndt, Councilman Hammero, Councilman Amundson, and Acting Mayor Denzer. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

The Council reviewed the minutes of the Parks, Recreation and Natural Resources Commission meeting of November 3, 1980, specifically the recommendation regarding the posting of tennis court regulations. After some discussion, the Council directed staff that this matter be investigated as to the magnitude of the problem and as to the cost of posting signs. This matter is to be placed on the next Council agenda for consideration.

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

RESOLUTION NO. 80-192

RESOLUTION REQUESTING STATE AID FOR CITY'S TREE DISEASE PROGRAM

WHEREAS, the City of Cottage Grove meets all of the eligibility criteria for grants and aids in the regulating of an approved tree disease program as set forth

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in the Department of Agriculture's Regulations AGR. 107, including the administration of a shade tree disease control program approved by the Minnesota Commissioner of Agriculture as set forth by Minnesota Statutes 18,023, Subdivision 3A, and

WHEREAS, \$75,352.23 has been appropriated by the City of Cottage Grove for funding of its sanitation and reforestation program for 1981, now

THEREFORE, 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 hereby applies to the Commissioner of Agriculture for partial funding of the City's sanitation and reforestation program and that the City Administrator is hereby authorized and directed to execute and to file such applications with the State of Minnesota, Plant Industry Division of the Department of Agriculture and to provide additional information and to furnish such documents as may be required by said agency, to execute such contracts as are required by said agency and to act as the authorized correspondent of the applicant.

Passed this 19th day of November, 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.

The Administrator advised the Council as to the progress being made in negotiating a contract with the International Association of Fire Fighters representing the Cottage Grove Fire Department fulltime employees. The Administrator advised the Council that the labor agreement negotiations have been complete with the exception of an agreeable vacation schedule. He also advised the Council that he discussed the agreement with Mr. Dassow, Chairman of the Board, and found that they are anxious to have the agreement settled by January 1, 1981. No action taken.

Motion that the Council re-affirm their previous position to install water main on Hadley Avenue South, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Mr. Conway Olson appeared before the Council regarding the quote he received to provide an additional \$1,000,000 Umbrella Liability policy for the City.

Motion that the Council accept the recommendation of the Administrator and it's insurance consultant and purchase the \$1,000,000 Umbrella Liability Insurance Policy to be effective December 1, 1980 to April 3, 1982 at a cost of \$6,680.00, made by Councilwoman Berndt. Seconded by Councilman Amundson. Carried viva voce.

The Council also discussed the elected and appointed officials liability insurance and some of the case laws that have taken place recently. No action taken.

The Attorney presented to the Council an Agreement and Release of Claims

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between the City of Cottage Grove , Theodore T. Alverson, and International Union of Operating Engineers, Local No. 49.

Motion that the Council accept the Agreement and Release of Claims between the City of Cottage Grove, Theodore T. Alverson, and International Union of Operating Engineers, Local No. 49, and that the Clerk and City Attorney are hereby authorized to sign said agreement on behalf of the City, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the Council approve the proposed League of Minnesota Cities building program and indicate to the League that it would be willing to pay a lump sum of \$8,870.80 as the City's share for the building, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the Council approve the request of the Director of Public Works to purchase snow plow and grader blades from Ziegler, Inc. in the amount of \$2,028.28, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried viva voce.

Motion that the Council approve and accept the 1981 Water and Sewer Budget in the following amounts:

Administration	\$111,465.00
Distribution	283,490.00
Non-Operating	303,253.00
Disposal/Treatment Plant	337,370.00

for a total of \$1,035,578.00, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

The Council discussed the 1981 General Fund Budget. Council set a special meeting to discuss this matter further on December 10, 1980 at 7:30 P.M.

Motion that the approval of the specifications for the purchase of five (5) 1981 police patrol cars be tabled, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Motion that the Council accept the Joint Powers Agreement between the Cities of St. Paul Park, Newport, Cottage Grove and the Town of Grey Cloud and that the Mayor and Clerk are hereby authorized to sign said agreement, and further that staff is hereby directed to report back to the City Council for approval to send an employee to receive paramedic training, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

The Council reviewed the notice received from the Department of Agriculture regarding the Metropolitan Agricultural Preserves Act meetings. Staff was directed to notify as many people as possible regarding the meeting to be held on Tuesday, December 2, 1980.

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

Mr. John Fredrickson, Director of Parks and Recreation, requested approval from

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the Council to purchase a mobile swimming pool vacuum system in the amount of \$2,449.44.

Motion that the Director of Parks and Recreation be authorized to purchase one (1) Mobile Swimming Pool Vacuum Machine and related appurtenances at a cost of \$2,449.44, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

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

The meeting adjourned at 9:20 P.M.

Respectfully submitted,

*Carl F. Meissner/mb*  
Carl F. Meissner  
Clerk Administrator

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
DEC - 4 1980  
*John Anderson Howe*  
Secretary of State

*33128*  
*O.P.*

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*O.P.*