

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 May, 1981, at 7:30 o'clock P.M., C.D.S.T.

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

The following were absent: None

Mayor Peterson presided over the meeting.

The minutes of the May 6, 1981 Special Meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the May 6, 1981 Regular Meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the May 13, 1981 Special Meeting were reviewed. They were approved as mailed showing that the Mayor and Councilman Amundson were excused.

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

RESOLUTION NO. 81-55

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL AGENDA
OF MAY 20, 1981

BE IT RESOLVED, that Resolution No. 81-56, a Resolution Issuing Conditional Use Permit to Secure Properties for Commercial Gravel Excavation; Resolution No. 81-57, A Resolution Issuing Conditional Use Permit to Solberg Construction Company for Commercial Gravel Excavation; and Resolution No. 81-58, A Resolution Issuing Conditional Use Permit to Solberg Construction Company for Commercial Gravel Excavation, be approved.

Passed this 20th day of May, 1981.

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.

The Mayor stated that the hearing regarding the street improvement on Lamar Avenue South north of 70th Street was now open for consideration of any comments.

Persons that were at the meeting and commented were:

Mr. Ron Schmidt
Mr. Neil Benson
Mr. Jerry Benz
Ms. Beverly Gross
Mr. Al Osborne, Jr.
Mr. William Dunbar
Ms. Mary Hale

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Most of the propertyowners felt that the improvement was necessary but they were concerned about the cost of the improvement.

After much discussion, a show of hands indicated that there were six (6) propertyowners in favor of the improvement, three (3) against.

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

RESOLUTION NO. 81-59

RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS - LAMAR AVENUE STREET IMPROVEMENT

WHEREAS, a Resolution of the City Council adopted on the 1st day of April, 1981 fixed a date for a Council hearing on the proposed improvement of Lamar Avenue South from 70th Street South to a point one half (1/2) mile northerly thereof, and

WHEREAS, ten (10) days published notice of the public hearing through two (2) weekly publications of the required notice was given and the hearing was held thereon on the 6th day of May, 1981 and continued to the 20th day of May, 1981 at which time all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is hereby ordered as proposed in the Council Resolution adopted April 1, 1981.

2. Bonestroo, Rosene, Anderlik & Associates, Inc. are hereby designated as the Engineers for this improvement. They shall prepare plans and specifications for the making of such improvement, although said improvement may be amended upon receipt of bids.

Passed this 20th day of May, 1981.

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 Hamero, 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.

Mr. Gary Lien, resident living at 8001 Hadley Avenue South, appeared before the Council regarding the No Parking signs that have been placed on Hadley Avenue South between Belden Boulevard and Gary Boulevard. Mr. Lien requested that a study be done and some of the signs removed.

After much discussion, a motion was made that the Council recommend to the County Engineer that a study be done and in the meantime, all "No Parking" signs be removed on the west side of Hadley and all signs removed on the east side of Hadley 300 feet north of Belden Boulevard, made by Councilwoman Berndt. Seconded

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by Councilman Denzer. Carried viva voce.

The Council discussed the application made by Thomas Stiffler for a Conditional Use Permit for a Commercial Horse Stable Operation.

A memo to the Council from the City Attorney dated May 18, 1981, was reviewed.

Mr. Stiffler indicated that he could not comply with some of the requirements as outlined in the Attorney's recommendations and conditions.

A motion was made that the application of Mr. Thomas Stiffler for a Conditional Use Permit be approved subject to the following conditions:

1. That a maximum of 30 horses plus mares in breeding shall be on the property at any one time.
2. That the problem with the manure be worked out by the City Attorney.
3. Adequate ground cover shall be provided to prevent erosion and dust problems.
4. No horses shall be ridden or exercised on the residential streets or property in the adjoining developments.
5. Feed for the horses shall be properly stored to prevent rodent problems.
6. No more than two (2) horse trailers other than those owned by the Stifflers shall be parked on the property more than 48 hours.
7. Vehicles entering and leaving the property shall comply with the weight restrictions applicable to the residential area.
8. Any signs for the stable shall comply with all restrictions of the City Code applicable to residential areas.
9. The permit shall be reviewed on an annual basis.
10. Hours of operation shall be limited to from 9:00 A.M. to 9:00 P.M.
11. All conditions as set forth by the Pollution Control Agency.

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

The Council reviewed the application of the Wood River Pipeline Company for a Re-zoning from B-2 to I-1.

Motion that the application of Wood River Pipeline Company for a Re-zoning of certain property on 85th Street South from B-2 to I-1, Light Industrial, be approved based on the following rationale:

1. That the rezoning is consistent with the proposed Comprehensive Plan.

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2. The proposed zoning and uses are compatible with the surrounding zoning and land uses.

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

The Council reviewed the application of the Pineridge Garden Club for a Conditional Use Permit to operate a farmers market in the Cottage Square Shopping Center parking lot.

It was the recommendation of the Planning Commission that they move the location of the farmers market from the shopping center parking lot to Woody's Restaurant parking lot located on Point Douglas Drive South.

Motion that the Council set a public hearing for June 17, 1981 at 7:30 o'clock P.M. on the application of the Pineridge Garden Club for a Conditional Use Permit to operate a farmers market made by Councilman Amundson. Seconded by Councilman Hamnero. Carried viva voce.

The Council reviewed the application of Harry C. Wolf for a Conditional Use Permit for a rural storage building.

Motion that the Council approve the application of Harry C. Wolf for a Conditional Use Permit for a rural storage building with the condition that the building be painted a color compatible with that of Mr. Wolf's home or an earth tone immediately after it is built 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 David Birkeland for a side yard set back variance for a driveway.

Motion that the application of David Birkeland for a side yard set back variance for a driveway be approved and that the variance fee be waived and that the Attorney is hereby directed to prepare the necessary resolution, made by Councilwoman Berndt. Seconded by Councilman Hamnero. Carried viva voce.

Motion that the application of J. L. Shiely Company for a gravel pit operators license be tabled for one additional month and that the report be forwarded to the Grey Cloud Town Board, made by Councilwoman Berndt. Seconded by Councilman Amundson. Carried 3 ayes, 2 nays. Councilman Denzer and Councilman Hamnero voting nay.

Motion that the J. L. Shiely Company Gravel Pit License for 1980-81 be extended for an additional thirty (30) days, made by Councilwoman Berndt. Seconded by Councilman Hamnero. Carried viva voce.

Motion that the license applications from Benner Blacktop, general blacktopping contractor; Durabilt Association, Inc., general contractor; and Mr. Siding, Inc., siding and roofing contractor, be approved made by Councilman Amundson. Seconded by Councilman Hamnero. Carried viva voce.

Motion that license applications from Boondock's Tavern, set up license;

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Cottage Grove Community Club, set up license; and Majestic Ballroom, set up license, be approved, made by Councilman Denzer. Seconded by Councilman Hammero. Carried 4 ayes, 1 nay. Councilman Amundson voting nay.

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

ORDINANCE NO. 352

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA, AMENDING
CHAPTER 13, RELATING TO GARBAGE AND RUBBISH

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," is hereby amended by amending Chapter 13, Section 13-3.

Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Garbage. Organic waste resulting from the preparation of food and decayed and spoiled food from any source.

Refuse. A mixture, in any proportion, of garbage, and rubbish.

Residence. Any structure utilized for dwelling purposes such as dwelling house, boarding house, apartment building, etc.

Rubbish. Inorganic waste matter such as tin cans, glass, paper, cardboard, newspapers, ashes, sweepings, recycleable or not, or similar materials, etc. Excluded from the "rubbish" definition are stones, sod, earth, concrete, contractor's building materials, large automobile parts, large appliances, inflammable liquids, tree trunk sections over 4 inches in diameter, animal wastes except when adequately wrapped or articles so heavy or bulky that they cannot be easily lifted by one man.

Supplemental Rubbish. Rubbish that exceeds the capacity of the cans or vats regularly employed and which may be secured separately from cans or vats for safe, speedy, and convenient handling, including such as:

- (a) Tree limbs under 4 inches in diameter and 3 foot lengths tied in bundles; 20 pounds maximum.
- (b) Leaves or grass in closed water proof bags (garbage can liner size) or in sturdy closed boxes; 20 pounds maximum.
- (c) Bundles of newspapers or magazines tied securely; 20 pounds maximum.
- (d) Christmas trees up to 6 foot lengths, during the month of January.
- (e) Automobile tires up to 4 per residence per calendar year.

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SECTION 2. AMENDMENT. "The Code of the City of Cottage Grove, Minnesota," is hereby amended by amending Chapter 13, Section 13-9.

Containers-Required. Every householder, occupant and owner of any residence of any restaurant, industrial establishment, or commercial establishment shall provide himself with one or more containers to receive and contain all garbage, rubbish and refuse which may accumulate between times of collection.

At all apartment structures containing four or more units, and at each commercial and industrial establishment, or restaurant where refuse must be disposed of and the volume exceeds three maximum size container cans per week, container vat service shall be utilized with the frequency of pick up being not less than once per week. Actual size of the container vats or the frequency of pick up shall be determined by need as established by the City Administrator.

- (a) No person shall deposit garbage, rubbish or refuse in a vat or commercial dumpster, except the owner or authorized agent of the premises using said vat or dumpster. It shall be a petty misdemeanor to deposit garbage, rubbish or refuse in a vat or commercial dumpster in violation of this section.
- (b) Owner of the premises using the vat or dumpster shall post, in a conspicuous manner, the prohibition as provided in this Ordinance. Failure to do so shall bar prosecution under this section.

SECTION 3. AMENDMENT. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 20th day of May, 1981.

The motion for the adoption of the foregoing ordinance 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 ordinance was duly declared passed.

Motion that any land that is shown in the City's Comprehensive Plan as agricultural that the Council also designate or allow to be designated as Agricultural Preserve Land under the Agricultural Preservation Act, made by Councilwoman Berndt. Seconded by Councilman Amundson. Carried viva voce.

The Council directed staff to handle the rezoning of any agricultural land as provided by the new Comprehensive Plan of the City's.

Motion that the Council approve the concept of the City's new Comprehensive Plan as recommended by the Planning Commission and staff was directed to forward this Plan onto to necessary governmental agencies for their review, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

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Motion that the labor contract between the Community Service Officers/Paramedics and the City be tabled made by Councilwoman Berndt. Seconded by Councilman Amundson. Carried 3 ayes, 2 nays. Councilman Denzer and Councilman Hammero voting nay.

Motion that the labor contract between the Community Service Officers/Paramedics and the City of Cottage Grove be approved with the stipulation that the Easter holiday be removed, that the provision for allowing for compensatory time in lieu of overtime pay be removed and that a provision to provide overtime pay for any schools or seminars that the City requires and sends employees to during their off-duty hours be removed made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

Motion that the Council accept the resignation of Kathi Buss as fulltime Dispatcher and allow her to return to part time status, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the Council accept the resignation of Valerie Eng as Accounting Supervisor, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the claim of Ms. Antoinette Beard be denied, made by Councilwoman Berndt. Seconded by Councilman Denzer. Carried viva voce.

Motion that the Council approve the construction of the expansion of the parking lot on the west side of Fire Station No. 2 and that the money for this expansion be taken from Fund Balance and not to exceed \$1,800.00, made by Councilwoman Berndt. Seconded by Councilman Denzer. Carried viva voce.

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

The Mayor requested that a discussion of burglar alarms installed on the outside of the house be put on the next Council agenda.

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

The meeting adjourned at 12:14 A.M., C.D.S.T, May 21, 1981

Respectfully submitted,

Carl F. Meigsner
Carl F. Meigsner
Clerk Administrator

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 28 1981

Jean Anderson Howe
Secretary of State
33438