

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 3rd day of June, 1981, at 7:30 o'clock P.M., C.D.S.T.

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

And the following were absent: Councilman Amundson (excused)

Mayor Peterson presided over the meeting.

The minutes of the May 20, 1981 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the May 26, 1981 special meeting were reviewed. There being no additions or corrections, they were approved as mailed.

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

RESOLUTION NO. 81-60

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL  
AGENDA OF JUNE 3, 1981

BE IT RESOLVED, that Resolution No. 81-61, Resolution Accepting Conveyance of Property from U.S. Homes Corporation; Resolution No. 81-62, Resolution Approving Acquisition of Lands for Construction of Utility Services for Hinton and 70th Street Area; Resolution No. 81-63, Resolution Granting Conditional Use Permit for Rural Storage Building to Harry C. Wolf; Resolution No. 81-64, Resolution Granting Variance to David Birkeland; Resolution No. 81-65, Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Roll for the Ridgewood First Addition Street Improvement and Sanitary Sewer Television Inspection; Resolution No. 81-66, Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Roll for the Sanitary Sewer, Water Main, Storm Sewer, and Street Lighting Improvements in Pinetree Pond East Second Addition; Resolution No. 81-67, Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Roll for Water Main, Sanitary Sewer, Storm Sewer, Street and Street Lighting Improvements - Pt. Douglas, 90th Street South, Inwood Avenue South and Islay Avenue South; Resolution No. 81-68, Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Roll for the Hinton Heights Sanitary Sewer, Water Main, Storm Sewer, Street Improvements and Street Lighting; Resolution No. 81-69, Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment Roll for the 90th Street Street Improvement; and license applications from Blaine Heating, Heating Contractor; Marvin Biskupski, Fire Damage Repair, General Contractor; Coopet Construction, General Contractor; The Transformed Tree, General Contractor; and Banaszewski Construction Company, Inc., General Contractor be approved.

Passed this 3rd day of May, 1981.

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

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

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

ORDINANCE NO. 353

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, AMENDING THE  
CITY CODE CHAPTER 28 RELATING TO ZONING

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

SECTION 1. AMENDMENT. "The Code of the City of Cottage Grove, Minnesota", is hereby amended by amending Chapter 28, Article 1, 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 B2 Retail Commercial District, to an I1, Light Industrial District:

All that part of the East Fifteen (15) Acres of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Eighteen, (18) in Township Twenty-Seven (27) North, Range Twenty-One (21) West, described as follows, to-wit: Commencing at the Northwest corner of the East Fifteen (15) Acres of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Eighteen (18) in Township Twenty-Seven (27) North, Range Twenty-One (21) West, proceeding due south along the west property line two hundred (200) feet, thence east at a right angle one hundred fifty (150) feet, thence north at a right angle two hundred (200) feet, thence west at a right angle one hundred fifty (150) feet to the point of beginning. According to the United States Government Survey thereof, Washington County, Minnesota. Subject to easement for highway purposes over and across the north thirty-three (33) feet of said premises.

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 3rd day of June, 1981.

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 Hamnero, Councilwoman Berndt, Councilman Denzer, and Mayor Peterson. The following voted against the same: None. Whereupon said ordinance was duly declared passed.

The Council discussed the resolution regarding the Conditional Use Permit to allow a commercial horse stable to be operated by Thomas and Carol Stiffler.

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After much discussion, Councilwoman Berndt introduced the following resolution and moved for its adoption:

RESOLUTION NO. 81-70

RESOLUTION GRANTING CONDITIONAL USE PERMIT TO THOMAS AND  
CAROL STIFFLER FOR A COMMERCIAL HORSE STABLE

WHEREAS, Thomas and Carol Stiffler have made application for the conditional use permit for a commercial horse stable; and

WHEREAS, the Planning and Zoning Commission of the City of Cottage Grove held a public hearing, pursuant to due publication and notice thereof, on December 22, 1980, which hearing was continued for additional evidence on February 23, 1981; and the Planning Commission recommended denial of said permit; and

WHEREAS, the matter was considered by the City Council on March 18, 1981, and continued to allow staff to obtain additional information, and

WHEREAS, the Council has reviewed the letter from Mr. Mat Barlass, Washington County Extension Director, and letters dated April 13, and May 7, 1981 from the Minnesota Pollution Control Agency; and

WHEREAS, the Council authorized the installation of appropriate signing in the residential area; and

WHEREAS, the Applicants have made arrangements with Jerry King to haul excess manure to the King farm; and

WHEREAS, compliance with the terms and conditions set forth below, the granting of the permit will not create a traffic safety hazard; the existing homes in the area will not be materially depreciated; there will not be the deterrents to development and immediately adjacent vacant land; no additional structures will be required on the site; no exterior signs other than those permitted in a residential district will be erected;

WHEREAS, the Council has received and considered the statements of the adjoining property owners in establishing the conditions set forth herein,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Cottage Grove, County of Washington, State of Minnesota, that the application of Thomas and Carol Stiffler for a commercial horse stable for the following described property:

That part of the Southeast Quarter and the Northwest Quarter (SE $\frac{1}{4}$  and NW $\frac{1}{4}$ ) of Section Thirty-Six (36), Township Twenty-Seven (27) North, Range Twenty-One (21) West, lying southerly of state highway 10 and 61 commonly known as 11344 Leeder,

be, and the same hereby is granted, subject to the following conditions:

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1. A maximum of thirty (30) horses plus mares in breeding shall be on the property at any one time, and no more than twelve (12) grazing at any one time.
2. That for the months of April through November of each year excess manure which is not used for spreading on the property shall be hauled away on a weekly basis; manure shall be stored so as to restrict liquid run off.
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 so as to prevent rodent problems.
6. No more than two horse trailers other than those owned by the Stifflers shall be parked on the premises.
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 hours of operation shall be limited from 9:00 A.M. to 9:00 P.M.
10. The permit shall be reviewed by staff with a report to the City Council in one year.
11. The applicant shall comply with all conditions set forth by the Pollution Control Agency.
12. The applicant is notified that pursuant to City Code Section 28-14 (e) a violation of any condition set forth herein may be the basis for revocation and termination of the permit.

Passed this 3rd day of June, 1981.

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 Denzer, and Mayor Peterson. 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 DeMori's Athletic Association, Inc. for a Temporary "On Sale" Non-intoxicating Malt Liquor License for June 13 and 14, 1981 and June 20 and 21, 1981 at East Cottage Grove ballfields, 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. 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 Mayor closed the hearing.

Motion that the application of DeMori's Athletic Association, Inc. for a Temporary "On Sale" Non-intoxicating Malt Liquor License for June 13 and 14, 1981 and June 20 and 21, 1981 at East Cottage Grove ballfields be approved, made by Councilwoman Berndt. Seconded by Councilman Denzer. Carried viva voce.

Motion that the Council approve the proposed rates to be charged at the Ice Arena for the 1981-82 season as follows:

Ice Rental Rink 1 (Prime Time)	\$ 55.00/hour
Ice Rental Rink 1 (Non-Prime)	45.00/hour
Ice Rental Rink 2 (Hockey)	35.00/hour
Ice Rental Rink 2 (Broomball)	30.00/hour
Hockey Game (Single Game)	300.00/Minimum
Hockey Game (Double Game)	400.00/Minimum
Hockey Game (Non-Admission)	75.00/hour
Season Ticket (Membership)	35.00/year
Skating Lessons	30.00/9 lessons
Public Skating	1.00/session
Open Hockey	2.50/session
Figure Skating Practice	2.00/session
Scoreboard	5.00/hour

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

Motion that the Council authorize the engineer to check on fire regulations for flea markets at the Ice Arena; check on cost of lighting the road between the arena and the school; check on a possible study to heat the studio rink with waste heat from the compressors; and check on the feasibility of widening the hallway leading to the concession area, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

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

RESOLUTION NO. 81-71

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE LAMAR AVENUE SOUTH STREET IMPROVEMENT AND ORDERING ADVERTISEMENT FOR BIDS

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

1. Plans and specifications for the construction of the Lamar Avenue South street improvement, heretofore prepared by the engineers for the City and now on file in the office of the City Clerk, are hereby approved as the plans and specifications in accordance with which said improvement shall be made, except

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as said plans and specifications may be modified by further action of this Council in accordance with law.

2. Sealed bids will be received in the office of the City Clerk until 10:00 A.M., C.D.S.T., on Thursday, June 25, 1981 at which time they will be publicly opened and read aloud. The City Council will meet at a later time for the purpose of awarding the contract for the construction of said Lamar Avenue South street improvement.

3. The Clerk shall cause to be published in the Washington County Bulletin, the official newspaper of the City, and in the Construction Bulletin, at least twenty-one (21) days before the date for the opening of the bids, a Notice of Bids for the construction of the Lamar Avenue South street improvement, as required by law.

Passed this 3rd day of June, 1981.

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

Motion that the Council approve and authorize payment of the Commissioners' fee regarding the condemnation of certain lands for the construction of the Jamaica Avenue extension project made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the Council authorize the City Attorney to cross-appeal any appeals of the Commissioners' awards which were given regarding the Jamaica Avenue extension made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the Council authorize the payment to Ms. Katherine K. Shepard of \$22,500.00 for damages regarding the condemnation of her property relating to the Jamaica Avenue street extension project plus \$300.00 as and for appraisal fees, made by Councilman Hammero. Seconded by Councilman Denzer. Carried viva voce.

Motion that the Council approve the VA and FHA letters regarding the Pinetree Pond East Third Addition relating to the installation and maintenance of all the on-site improvements and that the Mayor is authorized to sign said letter, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried viva voce.

Motion that the Council approve the Re-location Agreement between Northern States Power Company and the City of Cottage Grove for the adjustment and re-alignment of an existing ~~115 KV~~ transmission line between 70th Street South and 80th Street South along Jamaica Avenue South and the payment of 80% of the estimated fee for this adjustment which is \$12,400.00, made by Councilman Hammero. Seconded by Councilman Denzer. Carried viva voce.

Motion that the Council authorize the addition to the Youth Service Bureau 1981 operating fund an amount sufficient to fund a community attitude study and future plan for the Youth Service Bureau, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried viva voce.

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Motion that the Council authorize the hiring of a Ms. Linda Jandl as a Temporary Employee for up to 180 hours at \$6.50 per hour, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the Council approve the hiring of Ms. Rhonda Sykes as a Full-Time Dispatcher for the City of Cottage Grove at a starting salary of \$5.99 per hour subject to the six (6) month probationary period, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried viva voce.

The Council reviewed the letter received from St. Paul Mayor George Latimer regarding direct membership to the National League of Cities. No action taken.

The Council discussed burglar alarms on homes. The Mayor directed that this matter be referred to the Public Safety Commission for further study.

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

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

The meeting adjourned at 8:40 P.M., C.D.S.T.

Respectfully submitted,

*Carl F. Meissner*

Carl F. Meissner  
Clerk Administrator

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUN - 8 1981

*James Andrew Howe*  
Secretary of State

#33440