

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 17th day of June, 1981 at 7:30 o'clock P.M., C.D.S.T.

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

And the following were absent: None

Mayor Peterson presided.

The minutes of the June 3, 1981 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

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

RESOLUTION NO. 81-72

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL AGENDA OF  
JUNE 17, 1981

BE IT RESOLVED, that Resolution No. 81-73, Resolution Accepting Work and Authorizing Final Payment for Auxiliary Generator Installation; Resolution No. 81-74, A Resolution on Hearing for Proposed Assessments for Ridgewood First Addition Street Improvement; Resolution No. 81-75, A Resolution on Hearing for Proposed Assessments for 90th Street South Street Improvement; Resolution No. 81-76, A Resolution on Hearing for Proposed Assessments for Pinetree Pond East Second Addition Water, Sewer, and Storm Sewer Improvements and Street Lights; Resolution No. 81-77, Resolution Requesting Review of the Cottage Grove Comprehensive Plan; Resolution No. 81-78, Resolution Requesting 1980-81 Local Planning Assistance Entitlement Grant Funds from the Metropolitan Council; Resolution No. 81-79, Resolution Requesting 1980-81 Local Planning Assistance Discretionary Grant Funds from the Metropolitan Council; and License Applications from Schomaker Construction Company, general contractor; D & K Asphalt, general blacktopping contractor; Saeger Bros. Construction, general contractor; and the Cottage Grove Chamber of Commerce, bingo license for July 18, 1981 and dance permit for July 18, 1981, be approved.

Passed this 17th day of June, 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 Hammero, Councilman Denzer, Councilman Amundson, Councilwoman Berndt, 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 the application of Cottage Grove Pineridge Garden Club for a Conditional Use Permit to conduct a farmers market, 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 the hearing was being held in compliance with all applicable laws. There being no comments or objections, the Mayor closed the hearing.

Motion that the application of the Cottage Grove Pineridge Garden Club for a Conditional Use Permit for a farmers market to be held on that property commonly known as 6848 Point Douglas Drive (Woody's Restaurant Parking Lot) be approved subject to the following conditions:

1. The potential development of adjacent vacant land will not be adversely affected by the proposed use.
2. Adjacent developed land will not be adversely affected by the proposed use because of traffic, noise, dust, smoke, unsightliness, or other factors causing nuisance.
3. The period of time for which the Conditional Use Permit is to be granted will terminate before any adverse effects are felt upon adjacent property.
4. There is adequate assurance that the property will be left in suitable condition after the use is terminated.

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

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 Schmidt Insurance Softball, Inc. for a Temporary "On Sale" Non-intoxicating Malt Liquor License for June 27 and 28, 1981 at the East Cottage Grove Softball Fields, 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 hearing for consideration of any comments or objections. Staff advised the Council that there had been no complaints regarding the application 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 Schmidt Insurance Softball, Inc. for a Temporary "On Sale" Non-intoxicating Malt Liquor License for June 27 and 28, 1981 at the East Cottage Grove Softball Fields be approved, made by Councilman Denzer, Seconded by Councilwoman Berndt. Carried 4 ayes, 1 nay. Councilman Amundson voting nay.

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 Athletic Association for a Temporary "On Sale" Non-intoxicating Malt Liquor License for June 20, 1981 at Hearthside Park Ballfields, 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.

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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 application, 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 the Cottage Grove Athletic Association for a Temporary "On Sale" Non-intoxicating Malt Liquor License for June 20, 1981 at Hearthsides Park Ballfields be approved, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried 4 ayes, 1 nay, Councilman Amundson voting nay.

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 Athletic Association for a Temporary "On Sale" Non-intoxicating Malt Liquor License for June 19, 1981 at the Hamlet Park Ballfields, 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 hearing for consideration of any comments or objections. Staff advised the Council that there had been no complaints regarding the application, 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 the Cottage Grove Athletic Association for a Temporary "On Sale" Non-intoxicating Malt Liquor License for June 19, 1981 at the Hamlet Park Ballfields be approved, made by Councilman Denzer. Seconded by Councilman Hammero. Carried 4 ayes, 1 nay. Councilman Amundson voting nay.

The Council reviewed the request from the Cottage Grove Racquetball Club regarding the amending of their original Conditional Use Permit to allow for a miniature golf course as well as the racquetball club.

Motion that this request be referred to the Planning Commission for their review and comments and that it be placed back on the July 1, 1981 Council agenda, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried 4 ayes, 1 nay. Councilman Denzer voting nay.

The Council reviewed the Parks, Recreation and Natural Resources Commission minutes of June 1, 1981.

Noted the recommendation on the BMX Bike Trail and that the Parks Commission is recommending it be a non-competitive bike trail.

The Council reviewed the recommendation of the Parks Commission and Staff to open Grey Cloud Park until November 1, 1981.

Mr. William LaChapelle and Mr. John Appert appeared before the Council and were concerned about the opening of the park.

Motion that the Council approve the opening of Grey Cloud Park subject to the following conditions:

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1. The City would make up ten (10) keys that could be checked out at City Hall only during regular city hours.
2. The Public Use of City Facilities Application Form would be filled out by potential users prior to the issuing of keys.
3. A valid Minnesota Driver's License would be required to verify applicant's name and residency.
4. Recipients of keys would be informed that they are responsible for securing the gate when entering the park and after they leave.
5. Copies of all applications for park use would be sent to the Police Department to make them aware of when persons will be using the park.
6. Park hours will remain the same as the original proposal - from sunrise to sunset.
7. Applicants will be informed that this is strictly a canoe launch area ONLY and that any other use of the park will not be permitted. (Picnicing, etc.)
8. Install informational sign.
9. That the Parks Department is to monitor and check the condition of the park every week and that a report be given to the Council at each meeting.
10. That the Police Department patrol this park as often as possible.

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

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

RESOLUTION NO. 81-80

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING  
ADVERTISEMENT FOR BIDS FOR THE GRADING OF KINGSTON PARK

WHEREAS, the City Engineer, Bonestroo, Rosene, Anderlik & Associates, Inc. has prepared plans and specifications for the grading of Kingston Park and has presented such plans and specifications to the City Council for approval, 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 improvement of Kingston Park 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 as said plans and specifications may be modified by further action of this Council in accordance with law.

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2. Sealed bids will be received in the office of the City Clerk until 10:00 A.M., C.D.S.T. on Wednesday, August 12, 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 grading of Kingston Park.

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 ten (10) days before the date for the opening of the bids, a Notice of Bids for the construction of said improvement as required by law.

Passed this 17th day of June, 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 Hammero, and Mayor Peterson. The following voted against the same: Councilman Denzer. Whereupon said resolution was duly declared passed and adopted.

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

RESOLUTION NO. 81-81

RESOLUTION AMENDING COTTAGE GROVE CRITICAL AREA PLAN AND REGULATIONS

WHEREAS, the Metropolitan Council has agreed to review the Cottage Grove Critical Area Plan and Comprehensive Plan jointly, and

WHEREAS, certain amendments in the Critical Area Plan are necessary to be consistent with the plans and policies of the Comprehensive Plan, and

WHEREAS, these amendments are consistent with the plan content guidelines of the Critical Area Plan and have been reviewed and recommended by the Cottage Grove Planning Commission,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that those amendments listed in Attachment A be incorporated into the Cottage Grove Critical Area Plan.

Passed this 17th day of June, 1981.

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

Motion that the Attachment A be amended to delete item 1 in the Critical Area Plan Amendments which relates to changing lot size from three to five acres and item No. 1 in the Critical Area Regulations Amendments which also relates to changing lot size from three to five acres, made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried 4 ayes, 1 nay. Councilman Hammero voting nay.

Upon vote being taken thereon, the vote on the original resolution with the amended plan and regulations, the following voted in favor thereof: Councilman Hammero, Councilwoman Berndt, Councilman Denzer, Councilman Amundson, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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Motion that the City's Comprehensive Plan be amended to re-word any reference to five acre lots to be replaced by the requirement of three acre lots in rural residential areas, made by Councilman Denzer. Seconded by Councilman Amundson. Carried 4 ayes, 1 nay. Councilman Hammero voting nay.

Rick Lewis, Director of Planning, gave a verbal report regarding the sewage sludge site location public hearing.

Mr. James Pate, spokesperson for the Citizen's Committee Against the Location of a Sewage Sludge Site in the City, appeared before the Council, and requested the City Council join with the Citizen's group to oppose this site location.

Mr. Pate also presented to the Council a petition signed by over 1,000 citizens which was accepted by the Council and ordered placed on file in the office of the City Clerk.

Mr. Earl Borner appeared before the Council citing his opposition to the proposed location of a sewage sludge site in the City.

Staff was directed to send letters to the Township of Denmark, the Metropolitan Council, area state legislators, and the Minnesota Pollution Control Agency opposing the location of a sewage sludge site in the City.

Motion that the Council direct staff to proceed with haste in preparing the necessary ordinance to provide for a designation of an Agricultural Preservation Zoning District, made by Councilman Hammero. Seconded by Councilman Denzer. Carried viva voce.

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

RESOLUTION NO. 81-82

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING  
ADVERTISEMENT FOR BIDS FOR THE CONSTRUCTION OF JAMAICA AVENUE SOUTH

WHEREAS, pursuant to resolution passed by the City Council on October 15, 1980, the consulting engineer, Bonestroo, Rosene, Anderlik & Associates, Inc. has prepared the plans and specifications for the improvement of Jamaica Avenue South between 90th Street South and Military Road South and has presented such plans and specifications to the City Council for approval, 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 improvement of Jamaica Avenue South, 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 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

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10:00 A.M., C.D.S.T., on Thursday, July 9, 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 improvement of Jamaica Avenue South between 90th Street South and Military Road South.

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 said improvement as required by law.

Passed this 17th day of June, 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 Amundson, Councilman Denzer, Councilwoman Berndt, Councilman Denzer, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that Mr. Richard H. Hanson be appointed to the Parks, Recreation and Natural Resources Commission for a term to expire January 1, 1984, made by Councilman Amundson, Seconded by Councilman Hammero. Carried viva voce.

Motion that Ms. Sheila M. Colbert be sent a letter inviting her to attend the next Human Services Commission meeting as a prospective member, made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

Motion that Mr. James H. Larson be sent a letter inviting him to attend the next Public Safety Commission meeting as a prospective member, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

The Mayor appointed Councilman Amundson as the liaison person to the Citizens Finance Committee and Councilwoman Berndt as alternate.

Motion that the Council would prefer that the management letter from the auditor go directly to the Council and made available to the Citizens Committee if they wish and as far as discussion of same, that the Council would like to see the Finance Committee sitting in at that discussion with the auditors, made by Councilman Denzer. Seconded by Councilman Amundson. Carried viva voce.

Motion that the Labor Agreement between Labor Enforcement Services, Inc., Local No. 86 representing the Community Service Officers and Community Service Officers/Paramedics and the City of Cottage Grove for 1981 be approved, made by Councilman Denzer. Seconded by Councilman Hammero. Carried 3 ayes, 2 nays. Councilman Amundson and Councilwoman Berndt voting nay.

The Council set a special meeting for July 1, 1981 at 8:55 P.M. which will be held in private to discuss the Creighton lawsuit.

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

The Council acknowledged receipt of a letter from the City of Newport commending the performance of Officer Ed Rice and requested that this letter be placed in

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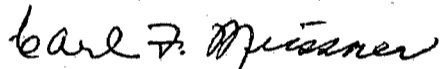
his personnel file.

The Clerk was requested to place on the July 1, 1981 Council agenda the future Master Planning for Fire Protection and the Management Study.

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

The meeting adjourned at 10:08 P.M.

Respectfully submitted,



Carl F. Meissner  
Clerk Administrator



ATTACHMENT "A"

CRITICAL AREA PLAN AMENDMENTS

1. Page 27, paragraph 3:

"Some limited residential development is expected within the corridor. This development will be on large lots (~~3-acres-or-larger~~) (five acres or larger) and will not require public sewer or water. Figure 14 illustrates the existing urban and rural service areas."

2. Page 47, paragraph 1, sentence 1:

"The first area is immediately south of the county park and the concept plan consists of a hiking trail following the ~~tree-line-along-the-river~~ bluff 3M Company property line to a scenic overlook approximately one mile away."

3. Page 49, figure number 17:

Change trail alignment to correspond with alignment for trail number 1, Map 5, Page 73 of Parks and Open Space Element of the Comprehensive Plan.

4. Page 53, last sentence:

Trails also could be developed northwesterly to connect to the South Washington County Park ~~through-the-existing-wooded-area~~ along the 3M Company property line.

5. Page 55, add paragraph:

"These same areas are designated "conservancy" areas on the Comprehensive Plan; environmentally sensitive lands to be protected from the adverse effects of development to the maximum extent possible. The City has no plans to acquire these areas. They will remain for the most part as private open space areas. Nor would the City totally restrict development. The regulations of the Critical Area Overlay District will help to minimize environmental impacts if the land is developed."

CRITICAL AREA REGULATIONS AMENDMENTS

1. Page 71: Amend Section 6.2 as follows:

"Section 6.2 Lot Size. In any area not served by sanitary sewer, the minimum lot size for a single family structure shall be at least ~~three (3) acres~~ five (5) acres ~~on slopes greater than (12) percent~~ unless the lot was approved by the township and said lot was recorded in the office of the Washington County Register of Deeds prior to April 25, 1975."

2. Page 73-74; Amend Section 6.7 as follows:

"6.7 Standards for On-Site Sewage Disposal Systems. Any premises intended for human occupancy must be provided with an adequate method of sewage disposal. Public or municipal collection and treatment facilities must be used where available and where feasible. Where public or municipal facilities are not available, all on-site individual sewage disposal systems shall conform to the minimum standards set forth in ~~Chapter 4, Sanitary Sewer Disposal Ordinance of the Washington County Development Code and Section 8 of this ordinance~~ the standards of WPC-40 as interpreted by the Minnesota Pollution Control Agency and the on-site system management provisions set forth on pages 32 through 37 of the Utilities Element of the Comprehensive Plan. ~~A septic/drain-field system shall be the only acceptable system for installation unless it can be demonstrated that this system is not feasible on the particular lot in question and it can be demonstrated that the system being proposed as an alternate will not cause a pollution problem.~~

~~A. No person, firm or corporation shall install, alter, repair or extend any individual sewer disposal system without first obtaining a permit for the specific installation, alteration, repair or extension thereof.~~

A. ~~B.~~ All parts of an on-site sewage disposal system shall be located at least ~~seventy five (75)~~ one hundred fifty (150) feet from the normal high water mark and from blufflines.

B. ~~C.~~ No on-site sewage disposal system shall be placed within designated flood plains.

3. Page 82, last paragraph:

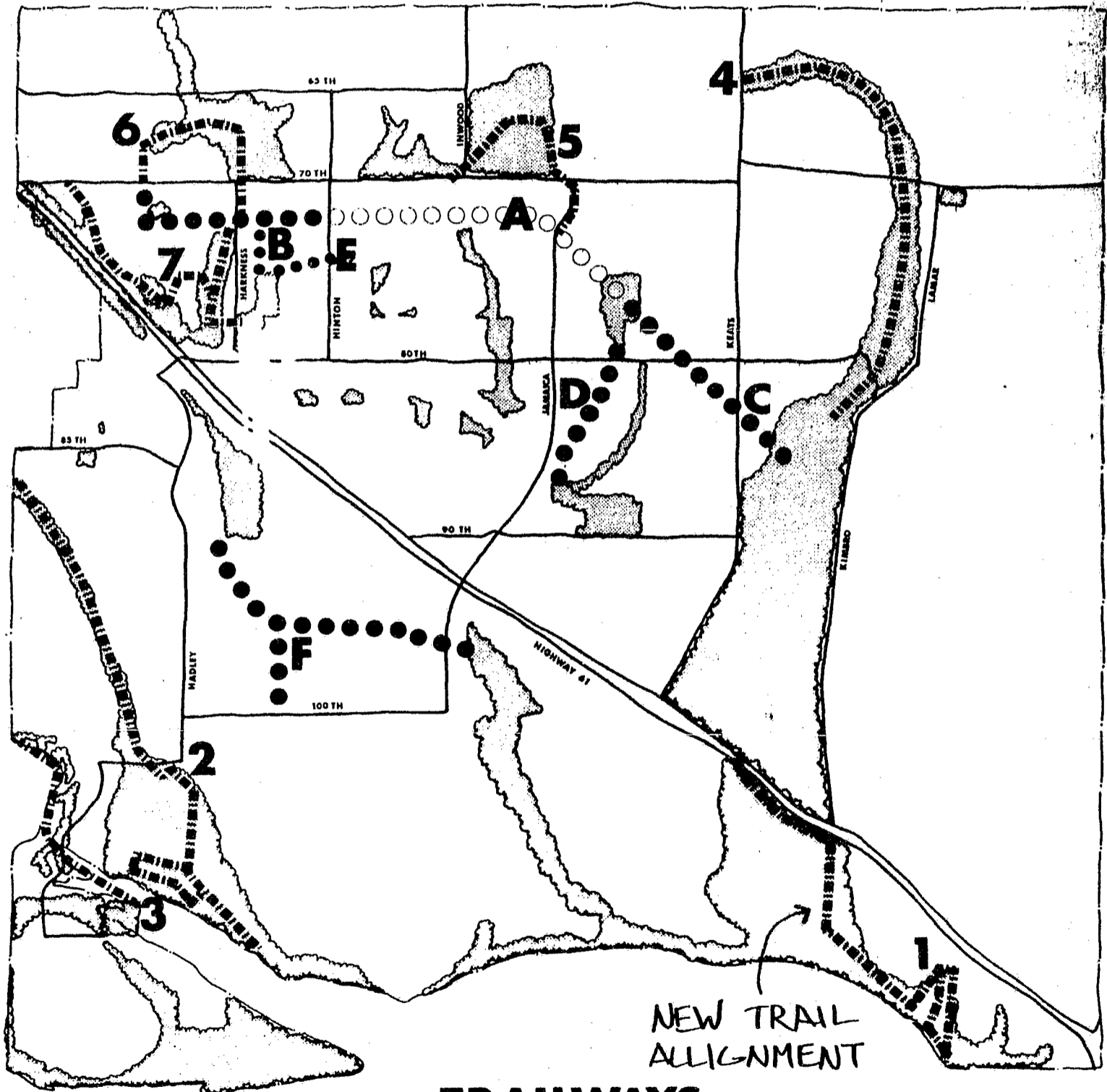
~~No septic tank shall be placed on a slope of greater than twelve (12) percent. The natural slope may not be altered in any way where the septic tank system or part thereof is to be located. The drain lines shall be located parallel to contour lines.~~

Septic tanks on slopes in excess of twelve (12) percent may require special engineering design, as provided in the Utilities Element of the Comprehensive Plan.

4. Pages 86-87; Amend Section 8.2 as follows:

8.2 Standards for Development on Restrictive Soils. Certain soils in the corridor, without proper management, unsuitable for development due to specific conditions which increase the probability of pollution of ground water, erosion or other problems detrimental to the public health, safety, and welfare. Therefore, the following standards shall be applied to any development designated or identified as an area of restrictive or unsuitable soil:

- ~~A. No on-site sewage disposal systems shall be allowed on soils located where the water table is permanently or seasonably four (4) feet or less from the ground surface nor shall such systems be allowed on soils having a permeability rate greater than 0.5 minute per inch.~~
- A. Development of on-site waste disposal systems shall conform to the standards of WPC-40 as interpreted by the Minnesota Pollution Control Agency and the On-Site System Management provision set forth in the Utilities Element of the Comprehensive Plan.
- ~~B. No on-site sewage disposal system shall be permitted on soils located over bedrock which lies less than five (5) feet below the ground surface or on soils having a permeability rate between 60 and 120 minutes per inch unless the applicant proves that a conventional soil system will be successfully modified, installed, and maintained such that the restrictive conditions will be overcome.~~
- ~~C. No residential, commercial, or industrial development shall be permitted on soils where the water table is permanently or seasonably three (3) feet or less from the ground surface.~~
- B. No development shall be permitted on slopes greater than eighteen (18) percent.
- C. No residential development shall be permitted on soils which are susceptible to severe changes in physical volume when moistened or are susceptible to changes in volume during periods of frost unless the applicant proves that construction techniques capable of overcoming the restrictive condition will be utilized.
- D. Industrial uses requiring bulk storage of chemicals will not be allowed in wet soils, shallow soils or soils with high permeability rates.



NEW TRAIL ALIGNMENT

**TRAILWAYS**

URBAN TRAILS & LINEAR PARKS  
 ○○○ EXISTING  
 ●●● PROPOSED

CONSERVANCY OPEN SPACE TRAILS  
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E. No solid waste or liquid waste disposal shall be permitted in soils having a permeability rate between 0.5 minutes per inch and 5.0 minutes per inch or soils over fractured carbonate bedrock within fifty (50) feet of the ground surface.

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STATE OF MINNESOTA  
DEPARTMENT OF STATE

FILED  
JUN 25 1981

*Joan Anderson Howe*  
Secretary of State

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