

Pursuant to due call and notice thereof, a regular meeting was duly held at the City Hall, 7516 80th Street South, on the 1st day of July, 1981, at 7:30 o'clock P.M., C.D.S.T.

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

And the following were absent: None

Mayor Peterson presided over the meeting.

The minutes of the June 17, 1981 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

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

RESOLUTION NO. 81-83

RESOLUTION APPROVING CONSENT ITEMS ON CITY COUNCIL AGENDA FOR JULY 1, 1981

BE IT RESOLVED, that Ordinance No. 354, An Ordinance for the City of Cottage Grove Minnesota, Amending Chapter 18, Relating to Peddlers, Solicitors and Vendors; Resolution No. 81-84, Resolution Granting Conditional Use Permit to Pine Ridge Garden Club for a Farmers Market; Resolution No. 81-85, A Resolution on Hearing for Proposed Assessments for Hinton Heights First Addition Water, Sanitary Sewer, Storm Sewer, Street and Street Lights Improvements; Resolution No. 81-86, A Resolution on Hearing for Proposed Assessments for 90th Street South, Point Douglas Drive, Inwood Avenue South and Islay Avenue South, Water, Sanitary Sewer, Storm Sewer, Street Lights and Street Improvements; and license applications from Dave Smith Construction Company, general contractor and Renstrom Construction Company, general contractor, be approved.

Passed this 1st day of July, 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: Councilman Amundson, Councilman Hammero, Councilman Denzer, Councilwoman Berndt, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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

RESOLUTION NO. 81-87

RESOLUTION AWARING BID - LAMAR AVENUE STREET IMPROVEMENT

WHEREAS, it appears that Solberg Aggregate is the lowest responsible bidder, and

WHEREAS, it is the recommendation of the Engineer that the contract be awarded to Solberg Aggregate, now

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THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that the proper City officials are hereby authorized and directed to enter into a contract as provided by law with Solberg Aggregate in the amount of \$30,335.00 for the Lamar Avenue South street improvement.

Passed this 1st day of July, 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, Councilman Amundson, 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 Cottage Grove Chamber of Commerce for a Temporary "On Sale" Non-intoxicating Malt Liquor License for Saturday, July 18, 1981 at the Cottage Square Shopping Center, 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 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 the Cottage Grove Chamber of Commerce for a Temporary "On Sale" Non-intoxicating Malt Liquor License for Saturday, July 18, 1981 at the Cottage Square Shopping Center be approved, made by Councilman Denzer. 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 Schmidt Insurance Softball Teams, Inc. for a Temporary "On Sale" Non-intoxicating Malt Liquor License for July 11 and 12, 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 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 then closed the hearing.

Motion that the application of the Schmidt Insurance Softball Teams, Inc. for a Temporary "On Sale" Non-intoxicating Malt Liquor License for July 11 and 12, 1981 at the East Cottage Grove softball fields be approved, made by Councilwoman Berndt. Seconded by Councilman Denzer. Carried 4 ayes, 1 nay. Councilman Amundson voting nay.

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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 Jaycees for a Temporary "On Sale" Non-intoxicating Malt Liquor License for July 4 and 5, 1981 at Hamlet Park baseball 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 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 the Cottage Grove Jaycees for a Temporary "On Sale" Non-intoxicating Malt Liquor License for July 4 and 5, 1981, at Hamlet Park baseball fields be approved, made by Councilman Denzer. Seconded by Councilman Hamero. 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 Chamber of Commerce for a Conditional Use Permit for a kiddie carnival to be held at the Cottage Square Shopping Center, 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 the hearing was being held in compliance with all applicable laws. There being no further comments or objections, the Mayor closed the hearing.

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

RESOLUTION NO. 81-88

RESOLUTION GRANTING TEMPORARY CONDITIONAL USE PERMIT TO THE
COTTAGE GROVE CHAMBER OF COMMERCE FOR CARNIVAL

WHEREAS, the Cottage Grove Chamber of Commerce has made application for a Temporary Conditional Use Permit for a carnival to be held on July 18, 1981 in the Cottage Square Shopping Center parking lot, which property is legally described as follows:

Tract A, Registered Land Survey No. 36, according to the files of the Registrar of Titles of Washington County, which property is commonly known as the Cottage Square Shopping Center, 8200 Hadley Avenue South Cottage Grove, Minnesota; and

WHEREAS, the City Council held a public hearing on said application on July 1, 1981 to consider the application; and

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WHEREAS, the Planning Department of the City has recommended approval of the permit subject to certain conditions; and

WHEREAS, the potential development of adjacent land will not be adversely affected by the proposed use; adjacent developed land will not be adversely affected by the proposed use because of traffic, noise, dust, smoke, unsightliness or other factors causing nuisance; that the period of time for which the carnival use permit will be granted will terminate before any adverse effects are felt upon adjacent property; that there is adequate assurance that the property will be left in suitable condition after the use is terminated,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Cottage Grove, Washington County, State of Minnesota, that the application of the Cottage Grove Chamber of Commerce for a Temporary Conditional Use Permit for a carnival shall be, and the same hereby is, granted, subject to the following terms and conditions:

1. The parking lot shall be cleaned up within 24 hours after the carnival is over.
2. Adequate policing shall be provided to maintain order.
3. No intoxicating beverages shall be served to, or used by, equipment operators while on duty; and no operator shall operate any equipment while in an intoxicated condition.
4. Evidence that the carnival operator has liability insurance in full force and effect holding the City harmless from any and all liability shall be filed with the City.
5. All parking for the carnival shall be provided on the site.
6. Provisions should be made to establish fire and emergency lanes within the area in the event of an emergency. Said lanes shall be inspected and approved by the Fire Marshall and Police Department prior to the opening of the carnival.
7. The carnival area shall be roped off to prevent the intrusion of vehicles.
8. Adequate sanitary facilities shall be provided in the form of portable toilets.

Passed this 1st day of July, 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 Hamnero, 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 Council refund the conditional use permit fee for the kiddie carnival deducting the cost of printing the Notice of Hearing, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

The Council reviewed the application of Thomas McCauley for a 4 foot set back variance in order to construct an accessory building (garage) within 6 feet of his house.

Motion that the application of Thomas McCauley residing at 8629 Greene Avenue South for a 4 foot variance on the set back for an accessory building to the house located on his lot be approved, on the basis that:

1. The conflicting Ordinance provisions imposes a hardship, and
2. That the applicant must meet all of the requirements regarding firewalls.

made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

The Mayor directed that the Public Safety Commission and Planning Commission review the ordinance relating to the set back requirement of accessory buildings.

The Council reviewed the recommendation regarding the approval of the request of the Cottage Grove Racquetball Club to amend it's Conditional Use Permit to construct a miniature golf course.

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

RESOLUTION NO. 81-89

RESOLUTION AMENDING RESOLUTION NO. 79-99, A RESOLUTION APPROVING
CONDITIONAL USE PERMIT FOR COMMERCIAL RECREATION FACILITY

WHEREAS, the Cottage Grove City Council passed Resolution No. 79-99 on the 18th day of July, 1979 providing for a commercial recreation facility on property adjacent to the South Frontage Road adjacent to Trunk Highway 10 and 61, and

WHEREAS, the applicant, Cottage Grove Racquetball Club, has filed an application to amend said resolution to allow for the construction of a miniature golf course at the back of the existing building, and

WHEREAS, the Planning Commission has recommended approval of an amendment of the original Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that Resolution No. 79-99 be amended to allow for the construction of a miniature golf course at the back of the building subject to the following conditions:

1. Approval of a landscape plan by the City's Planning Department.
2. The landscaping be installed during the first growing season after the construction of the miniature golf course.

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3. A bond be filed with the City equal to the estimated cost of said landscaping.

Passed this 1st day of July, 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 Denzer, Councilwoman Berndt, Councilman Amundson, Councilman Hamnero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that the application of J. L. Shiely Company for a Mining Permit in that area shown as shaded in Attachment "A" be approved, made by Councilwoman Berndt. Seconded by Councilman Hamnero. Carried viva voce.

Motion that the Council defer for thirty (30) days the issuance of a Gravel Pit Operators license for Solberg Aggregate for a pit located in the SE 1/4 of the NW 1/4 of Section 21 and that said pit operator be notified of any violations in the specifications, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that the application of Solberg Aggregate for a Gravel Pit Operators license for a pit located in the NW 1/4 of the NW 1/4 of Section 8, be approved, made by Councilwoman Berndt. Seconded by Councilman Hamnero. Carried viva voce.

Motion that the application of Ashbach Construction Company for a Gravel Pit Operators license for a pit located in the NE 1/4 of the NW 1/4 of Section 8 be approved, made by Councilman Hamnero. Seconded by Councilman Denzer. Carried viva voce.

Motion that the application of Rumpca Excavating, Inc. for a Gravel Pit Operators license for a pit located in the SE 1/4 of the SW 1/4 of Section 5 be deferred for thirty (30) days and that said pit operator be notified of any violations in the specifications, made by Councilman Denzer. Seconded by Councilman Amundson. Carried viva voce.

Motion that the Council request that the City's Planning Commission hold a public hearing regarding the reduction of square footage in a single family residence, made by Councilman Hamnero. Seconded by Councilman Denzer. Carried viva voce.

The Mayor directed staff to indicate to the Planning Commission that it was the Council's feeling that a minimum of 10% reduction in floor space should be allowed for 10% of homes in the plat.

Motion that the Council authorize the Finance Committee to meet with Mr. Bob Voto and his staff to review the 1980 financial report and management letter for the purpose of clarifying and providing additional information before it is put in final form, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that a special meeting be held Wednesday, July 29, 1981 at 6:30 P.M. to meet with and interview the following management firms:

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1. R. A. Duran, Glenview, Ill.
2. Public Administration Services, Inc., Chicago, Ill.
3. Arthur Young, Minneapolis, MN
4. Yarger & Associates, Falls Church, VA

to do a management study for the City, made by Councilwoman Berndt. Seconded by Councilman Amundson. Carried viva voce.

The Council requested staff to investigate the possibility of the Finance Committee changing their meeting to Tuesday, July 28, 1981.

Motion that the Council go on record as favoring the conducting of a management study, made by Councilman Hammero. Seconded by Councilman Denzer. Carried viva voce.

The Council reviewed the plans for the grading of Kingston Park. No action taken.

The Council set a special meeting for Wednesday, July 8, 1981 at 7:30 P.M.

The Mayor requested that each Councilperson put together a management objectives paper and that the Council discuss these management objectives with the Administrator and set policy goals for the future.

The Council reviewed the memo received from the Administrator regarding the bus passenger waiting shelter. No action taken.

Motion that the Council accept the resignation of Rhonda Sykes as Police Dispatcher, made by Councilman Denzer. Seconded by Councilman Amundson. Carried viva voce.

Motion that the Council appoint James Spah as a Part Time Dispatcher on a six (6) month probationary period, made by Councilman Denzer. Seconded by Councilwoman Berndt. Carried viva voce.

Motion that Jill Swanson be appointed as a Part Time Dispatcher on a six (6) month probationary period, made by Councilwoman Berndt. Seconded by Councilman Hammero. Carried viva voce.

The Council reviewed the letter of agreement regarding Police Officers performing investigative duties. This matter was referred back to the Attorney and Administrator for further clarification.

Motion that Ms. Sheila Colbert be appointed to the Human Services Commission for a term to expire January 1, 1982, made by Councilman Denzer. Seconded by Councilman Hammero. Carried viva voce.

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

Motion that Claudia Bertramson be appointed to the position as a Family Counselor on a Part Time Permanent basis, made by Councilman Amundson. Seconded by

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Councilwoman Berndt. Carried viva voce.

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

RESOLUTION NO. 81-90

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE INSTALLATION
OF STREET LIGHTS IN THE KLOHN SUBDIVISION, HIGHLAND TOWNHOME
ADDITION, PINETREE POND EAST THIRD ADDITION AND POINT DOUGLAS DRIVE
SOUTH

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 installation of street lights in the Klohn Subdivision, Highland Townhome Addition, Pinetree Pond East Third Addition, and Point Douglas Drive 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 10:00 A.M., C.D.S.T. on Wednesday, July 29, 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 installation of street lights in the Klohn Subdivision, Highland Townhome Addition, Pinetree Pond East Third Addition, and Point Douglas Drive 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 improvements, as required by law.

Passed this 1st day of July, 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: Councilman Denzer, Councilman Hammero, Councilman Amundson, Councilwoman Berndt, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

Motion that the Council authorize the payment of \$31.20 to Mayor Peterson for the flowers purchased in recognition of the Engineer's 25th year in business, made by Councilman Hammero. Seconded by Councilman Denzer. Carried viva voce.

Motion that Councilman Hammero and Councilwoman Berndt be appointed to represent the City on the Grey Cloud Study Committee, made by Councilman Amundson. Seconded by Councilman Denzer. Carried viva voce.

Motion that the Administrator be directed to write to the Minnesota Municipal Commission with a copy to the Grey Cloud Town Board, indicating to the Commission it is not the intent of the City of Cottage Grove to discuss with the Town of Grey Cloud the subject of orderly annexation, made by Councilman Hammero. Seconded by Councilwoman Berndt. Carried viva voce.

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Motion that the Council authorize the Township of Grey Cloud to appoint one additional representative to serve on the Grey Cloud Reclamation Committee, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Motion that the Planning Department be commended for the excellent work they performed in preparing the Comprehensive Plan, made by Councilman Amundson. Seconded by Councilwoman Berndt. Carried viva voce.

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

The meeting adjourned at 10:21 P.M.

Respectfully submitted,

Carl F. Meissner

Carl F. Meissner
Clerk Administrator

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL - 9 1981

James Andrew Howe
Secretary of State
33488

ATTACHMENT "A"

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