

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 September, 1979 at 7:30 o'clock p.m.

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

And the following were absent: None.

Mayor Peterson presided.

The minutes of the September 4, 1979 special meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the September 5, 1979 regular meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The minutes of the September 12, 1979 special meeting were reviewed. There being no additions or corrections, they were approved as mailed.

The Cottage Grove Jaycees and Jaycee Women appeared before the Council and made a presentation to the Paramedics of a Resusci-Kim.

Motion that the following license applications be approved: Imperial Construction for a masonry contractor's license; Bricks Unlimited for a masonry contractor's license; Burford and Beran for a roofing contractor's license; and Enviro Services, Inc. for a heating contractor's license, made by Councilman McHattie. Seconded by Councilman Denzer. Carried viva voce.

Mr. Arlo Johnson appeared before the Council requesting the City to install a barricade on the 80th Street South median at the intersection of Hinton Avenue South and 80th Street South. Mr. Johnson indicated that there have been accidents at that intersection whereby there has been damage to his own personal property and a friend's property.

Motion that the Council authorize the Director of Public Works to install a barricade on the median on 80th Street South at Hinton Avenue South, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

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

RESOLUTION NO. 79-126

A RESOLUTION REQUESTING THE MINNESOTA DEPARTMENT OF TRANSPORTATION TO CONDUCT A SPEED ZONE SURVEY ON HINTON AVENUE SOUTH FROM 80TH STREET SOUTH TO 65TH STREET SOUTH

WHEREAS, a considerable amount of residential construction has taken place on or adjacent to Hinton Avenue South in the City of Cottage Grove, and

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WHEREAS, in the past, Hinton Avenue South was considered a rural road,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Cottage Grove, County of Washington, State of Minnesota, that it hereby petitions the Commissioner of the Department of Transportation to have a speed zone survey conducted on Hinton Avenue South from 80th Street South northerly to 65th Street South and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Commissioner of Transportation and to the District 9 Engineer for proper handling.

Passed this 19th day of September, 1979.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman McHattie. Upon vote being taken thereon, the following voted in favor thereof: Councilman Amundson, Councilman McHattie, Councilman Denzer, Councilman Hammero, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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

ORDINANCE NO. 315

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA AMENDING SECTION 4-19 OF THE CITY CODE WITH RESPECT TO REDEMPTION OF IMPOUNDED ANIMALS

The City Council of the City of Cottage Grove, Minnesota, ordains as follows:

SECTION 1. AMENDMENT. "The Code of the City of Cottage Grove, Minnesota" shall be amended by amending Chapter 4, Article 1, Section 4-3, as follows:

"Any animal may be redeemed from the pound by the owner within the time hereinafter stated by the payment to the Clerk of the license fee for the current year, if applicable, as well as an impounding fee of \$10.00, and \$5.00 for each day the animal is confined in the pound, as the cost of feeding."

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 19th day of September, 1979.

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

The Attorney gave a report to the Council regarding the off-site improvements in the Rolling Hills First Addition. It was the recommendation of the Attorney

that the City deposit into it's own account the monies held by MidAmerica National Bank for this purpose.

Motion that the Clerk Administrator be authorized to deposit in the City's account the escrow monies held by the MidAmerica National Bank for the construction of off-site improvements in the Rolling Hills First Addition, made by Councilman Hammero. Seconded by Councilman McHattie. Carried viva voce.

The Mayor directed that the matter concerning the off-site improvements in Rolling Hills First Addition be placed on the October 17, 1979 regular agenda for further discussion.

Mr. Carlson, Director of Public Works, gave a written report dated September 19, 1979 on the drainage problem in the Woodridge Park Addition.

Mr. Carlson indicated that a problem does exist with water standing in the backyard of Mr. Seagroves whose residence is 8547 Isle Avenue South and water standing between the row of homes. He pointed out that he has met with a representative of Mr. Thompson who indicated that they will have this area stacked and re-graded. If this does not solve the problem, the cost for installing an underground drainage system would be \$4,900.00.

The Council accepted the report. No further action taken at this time.

Discussion regarding the Woodmount Townhouse park dedication fees was tabled to the October 3, 1979 regular meeting.

The Council reviewed the Public Works Commission minutes of September 4, 1979.

The Mayor directed the Attorney to prepare an Ordinance regulating the application of municipal wastewater sludge on land in the City of Cottage Grove.

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

ORDINANCE NO. 316

AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA  
AMENDING CHAPTER 26 OF THE CITY CODE WITH RESPECT TO  
WATER CONNECTION REQUIREMENTS

The City Council of the City of Cottage Grove, Minnesota, ordains as follows:

Section 1. Amendment. "The Code of the City of Cottage Grove, Minnesota", shall be amended by amending "Chapter 26, Section 26-12", to read as follows:

There shall be installed in every connection to the city water system one stop and waste valve which shall be installed at a point between the curb stop and the meter so that the water may be turned off and the meter and house plumbing entirely drained. There shall be installed another stop and waste cock and check valve in the pipe on the house side of the meter. All service pipes connected to the City system shall be of a type k copper, a minimum of one inch inside diameter or its approved equal and shall be laid at a depth not less than six and

one-half feet below the established grade, or as low as the street mains.

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 19th day of September, 1979.

The motion for the adoption of the foregoing ordinance was duly seconded by Councilman Hammero. Upon vote being taken thereon, the following voted in favor thereof: Councilman Amundson, Councilman Hammero, Councilman McHattie, Councilman Denzer, and Mayor Peterson. The following voted against the same: None. Whereupon said ordinance was duly declared passed and adopted.

The Council reviewed the letter from the Metropolitan Transit Commission regarding the request of the City for the extension of bus service to the Highlands Addition.

Staff was directed to contact the Metropolitan Transit Commission regarding the Total Commuter Service project which specializes in van and car pooling.

Motion that the amendment to the Crimestop Agreement between the cities of Cottage Grove, St. Paul Park, and Newport, and the Township of Grey Cloud be approved and that the Mayor and Clerk are hereby authorized to execute said agreement between the cities, made by Councilman McHattie. Seconded by Councilman Amundson. Carried viva voce.

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

RESOLUTION NO. 79-127

A RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT ROLL FOR THE JAMACA AVENUE SOUTH STREET IMPROVEMENT FROM TRUNK HIGHWAY 10 AND 61 SOUTH TO 100TH STREET SOUTH

WHEREAS, a contract has been let for the construction of a street improvement known as Jamaca Avenue South from Trunk Highway 10 and 61 south to 100th Street South, and the contract price for such improvement is \$313,315.35 and the expenses incurred or to be incurred in the making of said improvement amounts to \$58,964.63, so that the total cost of this improvement will be \$372,279.98 of which the City will pay \$142,644.80 as its share of the cost, now

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

1. The cost of such improvements to be specially assessed is hereby declared to be \$179,456.00.
2. The City Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvements against every assessable lot, piece or parcel of land within the district affected without regard to cash valuation as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.

3. The Clerk shall, upon the completion of such proposed assessment, notify the Council thereof.

Passed this 19th day of September, 1979.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman Amundson. Upon vote being taken thereon, the following voted in favor thereof: Councilman Hammero, Councilman Amundson, Councilman McHattie, Councilman Denzer, and Mayor Peterson. The following voted against the same: None. Whereupon said resolution was duly declared passed and adopted.

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

RESOLUTION NO. 79-128

A RESOLUTION FOR HEARING ON PROPOSED ASSESSMENTS FOR THE  
JAMACA AVENUE SOUTH STREET IMPROVEMENTS FROM TRUNK HIGHWAY  
10 AND 61 SOUTH TO 100TH STREET SOUTH

WHEREAS, by resolution passed by the City Council of September 19, 1979 the City Clerk was directed to prepare a proposed assessment for the Jamaca Avenue South Street Improvement from Trunk Highway 10 and 61 South to 100th Street South, and

WHEREAS, the Clerk has notified the Council that such proposed assessment has been completed and filed in his office for public inspection, now

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

1. A hearing shall be held on the 17th of October, 1979, at 7:30 P.M. to pass upon such proposed assessments and at such time and place, all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessments.
2. The City Clerk is hereby directed to cause a Notice of Hearing on the proposed assessments to be published once in the official newspaper at least two weeks prior to the hearing and he shall state in the notice, the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll. The Notice of Hearing shall be as follows:

NOTICE OF HEARING ON PROPOSED ASSESSMENTS FOR THE  
JAMACA AVENUE SOUTH STREET IMPROVEMENTS FROM TRUNK  
HIGHWAY 10 AND 61 SOUTH TO 100TH STREET SOUTH

TO WHOM IT MAY CONCERN:

Notice is hereby given, that the Cottage Grove City Council will meet at 7:30 P.M. on the 17th day of October, 1979, at the City Hall, 7516 80th Street South, in the City of Cottage Grove, to pass upon the proposed assessments for the cost of the Jamaca Avenue South street improvements from Trunk Highway 10 and 61 south

to 100th Street South.

It is proposed to assess all of the lots and parcels benefited by said improvement, which include:

All of Section 21 lying South of Trunk Highway 10 and 61.

The total cost of the improvement is \$372,279.98.

The proposed assessment roll is on file for public inspection at my office. Written or oral objections will be considered at the hearing.

An owner may appeal an assessment to District Court pursuant to Minnesota Statutes 429.081 by serving notice of the appeal upon the Mayor of the City of Cottage Grove within 20 days after the adoption of the assessment and thereafter, filing such notice with the Clerk of District Court within ten days after service upon the Mayor or Clerk.

Any owner of homestead property over the age of 65 may apply for deferral of payment of these assessment charges if the making of the payments would be a hardship.

BY ORDER OF THE CITY COUNCIL.

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

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

RESOLUTION NO. 79-129

A RESOLUTION APPROVING SPECIFICATIONS FOR THE PURCHASE  
OF FOUR (4) 1980 MODEL POLICE PATROL CARS

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

1. The specifications for the furnishing of four (4) 1980 model police patrol cars heretofore prepared by the Director of Public Safety for the City of Cottage Grove, and now on file in the office of the City Clerk are hereby approved as specifications in accordance with which the furnishing of the four (4) 1980 model police patrol cars shall be made except as said 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, October 17, 1979, 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 furnishing of the four (4) 1980 model police patrol cars.

3. The Clerk shall cause to be published in the Washington County Bulletin, the official newspaper of the City, at least ten (10) days before the date for the opening of bids, a Notice of Bids as required by law.

Passed this 19th day of September, 1979.

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

Motion that the Council accept the resignation of Mr. Donald Peterson from the Public Safety Commission, and the Clerk is hereby directed to send the necessary letter and certificate of appreciation to Mr. Peterson, made by Councilman Hammero. Seconded by Councilman Denzer. Motion carried viva voce.

Motion that the Council approve the purchase of 10 tons of fertilizer at a total cost of \$1,607.50, made by Councilman McHattie. Seconded by Councilman Denzer. Carried viva voce.

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

Motion that the Council reconsider the application for a side yard setback variance made by Mr. James Kinsey, made by Councilman Hammero. Seconded by Councilman McHattie. Carried viva voce.

Motion that the application of Mr. James Kinsey for a side yard setback variance be tabled until the applicant furnishes the Council with an actual survey of the property line, made by Councilman Hammero. Seconded by Councilman Amundson. Carried viva voce.

Motion that the Mayor be appointed to represent the City on the Community Education Advisory Committee and that the Clerk is hereby authorized to notify the proper officials, made by Councilman Amundson. Seconded by Councilman Hammero. Carried viva voce.

Motion that the Council set a meeting with the Grey Cloud Town Board to discuss the proposed annexation. This meeting to be held on November 14, 1979 at a time and place to be selected by the Grey Cloud Town Board, made by Councilman Hammero. Seconded by Councilman Amundson. Carried viva voce.

The hearing regarding the Werner Lembke Conditional Use Permit was continued at this time.

The Attorney representing Mr. Lembke presented his case to the Council.

A tape recording of this hearing is on file in the office of the City Clerk.

Motion that the Council revoke the Conditional Use Permit issued to Mr. Werner Lembke by Resolution No. 79-24, based on the rationale that compliance to conditions 1, 3, and 4 have not been made or complied with, made by Councilman Amundson. Seconded by Councilman Hammero. The Mayor directed that

a roll call vote be taken and upon said roll being called, the following voted in favor thereof: Councilman Amundson, Councilman Hammero, Councilman McHattie, Councilman Denzer, and Mayor Peterson. The following voted against the same: None. Motion passed.

The Mayor directed the City Attorney to allow thirty (30) days before any action is taken regarding Mr. Lembke's apparent violations.

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

RESOLUTION NO. 79-130

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
FOR THE CONSTRUCTION OF A PARK BUILDING IN WOODRIDGE  
PARK AND OTHER RELATED APPURTENANCES 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 a park building and other related appurtenances in Woodridge 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 construction 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 2:00 P.M. on Tuesday, October 16, 1979, 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 park building and related appurtenances.

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 park building and related appurtenances, as required by law.

Passed this 19th day of September, 1979.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman McHattie. Upon vote being taken thereon, the following voted in favor thereof: Councilman Hammero, Councilman McHattie, and Mayor Peterson. The following voted against the same: Councilman Amundson and Councilman Denzer. Motion carried, 3 ayes, 2 nays.

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September 19, 1979

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

RESOLUTION NO. 79-131

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR  
THE CONSTRUCTION OF TENNIS COURTS AT WOODRIDGE PARK  
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 tennis courts in Woodridge Park, heretofore prepared by the engineers for the City of Cottage Grove and now on file in the office of the City Clerk, are hereby approved as the plans and specifications in accordance with which said construction 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 2:00 P.M. on Tuesday, October 16, 1979, 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 tennis courts.

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 bids, a Notice of Bids for the construction of said tennis courts, as required by law.

Passed this 19th day of September, 1979.

The motion for the adoption of the foregoing resolution was duly seconded by Councilman McHattie. Upon vote being taken thereon, the following voted in favor thereof: Councilman Hammero, Councilman McHattie, and Mayor Peterson. The following voted against the same: Councilman Denzer and Councilman Amundson. Motion carried, 3 ayes, 2 nays.

Motion that the meeting be adjourned, made by Councilman Amundson. Seconded by Councilman Denzer. Motion carried viva voce.

The meeting adjourned at 10:25 P.M.

Respectfully submitted,

*Carl F. Meissner*

CARL F. MEISSNER  
Clerk Administrator

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
SEP 27 1979

*John Andrew Howe*  
Secretary of State

*32410*

*O.D.*