

REGULAR MEETING COTTAGE GROVE CITY COUNCIL

May 19, 2004

OPEN FORUM – 7:15 p.m.

Open forum provides a person an opportunity to inform the Council of a problem or to request information related to City business not scheduled for Council action and on the Agenda. Mayor Shiely encouraged persons to limit their remarks to two (2) minutes per issue.

Present: Mayor Sandy Shiely
Council Member Cheryl Kohls
Council Member Pat Rice
Council Member Jim Wolcott
Council Member Mark Grossklaus

Also Present: Ryan Schroeder, City Administrator
Ron Hedberg, Finance Director
Howard Blin, Community Development Director
Tom Thompson, Consultant, BRAA
John Mickelson, Public Safety Director
Les Burshten, Public Works Director
Corrine Thomson, City Attorney
Caron Stransky, City Clerk

No one stepped forward during Open Forum.

CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota held a regular meeting on Wednesday, May 19, 2004, at the Cottage Grove City Hall, 7516 80th Street South. Mayor Sandy Shiely called the meeting to order at 7:30 p.m.

ROLL CALL

Present: Mayor Sandy Shiely
Council Member Cheryl Kohls
Council Member Pat Rice
Council Member Jim Wolcott
Council Member Mark Grossklaus

Also Present: Ryan Schroeder, City Administrator
Ron Hedberg, Finance Director
Howard Blin, Community Development Director
Tom Thompson, Consultant, BRAA
John Mickelson, Public Safety Director

Les Burshten, Public Works Director
Corrine Thomson, City Attorney
Caron Stransky, City Clerk

Mayor Shiely presided over the meeting.

ADOPTION OF AGENDA

MOTION BY WOLCOTT, SECONDED BY RICE, TO APPROVE THE AGENDA AS PRESENTED. MOTION CARRIED 5-0.

APPOINTMENTS AND PRESENTATIONS

A. PRESENTATIONS

1. Certificate of Achievement for Financial Reporting – 2003 CAFR.

Finance Director Hedberg stated that the Government Finance Officer's Association recently presented the Finance Department with the Certificate of Achievement in Financial Reporting. He stated that this award is nationally recognized as the premier indicator of excellence in governmental financial administration and reporting. He explained that to earn this award the City had to submit an annual report that goes well beyond the minimum requirements of generally accepted accounting principles, legal disclosure and communication efforts. The City has participated in the program since 1990 and has received the award for 13 consecutive years. Hedberg stated that the Certificate of Achievement would not have been possible without the continued efforts of the entire Finance Department adding that he would like to give special recognition to Brenda Peper, Finance Analyst and Cathy Mohr, Accountant, for their hard work and dedication.

Mayor Shiely congratulated the Finance Department stating that it takes a lot of hard work and dedication to achieve such an accomplishment in receiving this type of an award.

2. Strawberry Fest Committee.

City Clerk Stransky stated that she is present to review the upcoming Cottage Grove Strawberry Fest activities. She introduced the Committee to the Council noting Jennifer Osborne, buttons, raffles and t-shirts; Mr. Schmidt, Jaycees; Ralph Marquardt, Top Twenty Car Show; Myron Bailey, coordination of the parade and volunteers. She stated that many changes were made for the festival this year including a name change. The Committee decided to change the identity of the festival and return to the annual Cottage Grove Strawberry Festival. Events this year would be held between Rodeo and the All Seasons Golf on West Point Douglas Road. The Cottage Grove Reports will include a pullout brochure of events. Stransky reviewed the activities and schedule with the Council.

Jennifer Osborne stated that this year she is responsible for the promotion and sale of the Festival buttons and the raffle tickets. She provided the Council with examples of the T-Shirts and Buttons available for purchase stating that they are available for purchase at the

City Hall or Cottage Grove Cub Foods in addition to being available throughout the weekend of the Strawberry Tent. Purchasing a Strawberry Fest Button would provide an entry for the raffle in addition to several discounts at various local businesses.

Ralph Marquardt provided the Council with a brief overview of the car show noting that it would take place on June 12, 2004 from 10:00 a.m. to 3:00 p.m. He noted that one of the main sponsors of the event, Sunbelt Auto, provided a very generous donation for the event, in addition to donations received from the Strawberry Festival and the Northland Falcon Club. He encouraged everyone to come out and enjoy the car show.

Chris Smith, President of Cottage Grove Area Jaycees, stated that he and the Jaycees are glad to be back adding that he is looking forward to being involved with this year's event. He highlighted the Carnival schedule noting that the application deadline for local businesses and parade participation is May 22, 2004. He encouraged everyone to come out, enjoy the games, rides and good food.

Mayor Shiely thanked everyone for all of their hard work on the Festival. She encouraged everyone to come out and enjoy the festivities of this year's Cottage Grove Strawberry Festival.

B. APPOINTMENTS

NONE

APPROVAL OF MINUTES

A. March 17, 2004 Regular Meeting

Mayor Shiely stated that the minutes stand approved, as presented.

CONSENT CALENDAR

Mayor Shiely stated that she would like to pull Items 4C and 4H for further comment. She explained that the two items are proclamations. Item 4C proclaims the week of May 24-June 6, 2004 as "Buckle Up Cottage Grove - Click it or Ticket" which will be a massive effort on the part of the Public Safety Department to demonstrate and reaffirm its commitment to buckling up and arriving alive. She asked if a new law had recently been passed relating to seat belts. Public Safety Director Mickelson reviewed the new law recently passed regarding traffic stops.

Mayor Shiely referenced Item 4H stating that the week of May 16-22, 2004 has been proclaimed as "Public Works Week" in Cottage Grove. She explained that this is an event to celebrate the accomplishments of the Public Works Department for the wonderful job they do for the City of Cottage Grove. Public Works Director Burshten noted that this is a national event.

Council Member Kohls stated that she would like to pull Item 4N and Item 4P for further discussion. She referenced Item 4N stating that this is a request to ratify EDA approval of agreements with Innovative Chemical Corporation, toward a development of a manufacturing facility within the Industrial Park. Kohls suggested a separate Council vote on this item noting that she has a professional relationship with the company and would be abstaining from the vote.

MOTION BY RICE, SECONDED BY WOLCOTT, TO RATIFY EDA APPROVAL OF AGREEMENTS WITH INNOVATIVE CHEMICAL CORPORATION TOWARD DEVELOPMENT OF A 24,960 SQUARE-FOOT MANUFACTURING FACILITY WITHIN THE INDUSTRIAL PARK. MOTION CARRIED 4-0. (1 ABSTAIN-KOHL)

Council Member Kohls referenced Item 4P noting that it is a request to receive information regarding the Joint Powers Agreement between the Cities of Cottage Grove, Afton, and Denmark Township, on establishing and empowering the Lower St. Croix Valley Watershed Management Organization. Kohls explained that the organization has been established for many years but has not been active until now. Approximately 12% of Cottage Grove is located within the Lower St. Croix Water Management organization's boundary. Kohls noted that a draft of the plan would be submitted to the City for their comments and feedback.

Council Member Kohls provided the Council with a brief overview of the proposed implementation plan funding noting that the numbers would be based on a five-year period. She indicated that the main topic of discussion involves determining the appropriate way to charge the respective communities. She explained to the Board that the City of Cottage Grove could not support a finance method where the citizens of Cottage Grove would end up paying for natural resource projects that are not located in their community. It was also clarified to the Board, that the City of Cottage Grove understands their responsibility to contribute their portion for the administration and regional projects within the Watershed District.

Council Member Kohls reviewed the options with Council noting that Option B would be the only option that provides the City with the opportunity to not contribute funding to projects not located in the City of Cottage Grove. Options A and C would require that the City pay a portion for projects outside of their community. Kohls reviewed the administration ratios noting that 50% of the funding costs would be based on land area and 50% would be on the tax base. She reviewed the funding with Council noting that the dollars would come from the Stormwater Utility Fund.

Council Member Wolcott expressed concerns regarding the tax base portion and asked for a comparison. Council Member Kohls explained that the calculations are based on year 2000 numbers.

Council Member Wolcott expressed concerns that the residents of Cottage Grove would end up paying more than they should. City Administrator Schroeder referenced the packet of information provided and further clarified the tax base charges with Council.

Council Member Kohls stated that they worked through the numbers for all of the cities noting that Cottage Grove remained level while the City of Afton and Denmark Township both took hard hits. She stated that the Council should determine the option they prefer to recommend for the Plan noting that the final draft would come back to them for further review.

Mayor Shiely reviewed the payment options with Council stating that it would be her preference to recommend Option B.

City Administrator Schroeder reviewed the fees paid by the City in previous years. He indicated that a workshop would be scheduled to discuss the stormwater issues noting that there are significant expenditures projected over the next five years that Council should discuss.

Council Member Rice suggested that they become a full fledge Watershed District. Council Member Kohls explained that the County wants the WMO to be absorbed by a watershed district. She also noted the administrative costs and the need to share project costs stating that she is not sure that that would be in the best interest of the community. City Administrator Schroeder stated that most of the infrastructure; drainage areas, and projects are managed by independent consultants and he reviewed the various legal ramifications that would have to be considered.

City Administrator Schroeder stated that he would provide Council with the statutes addressing the three models for their review.

Mayor Shiely clarified with Council that there is a preference and consensus to recommend Option B to the Watershed Board. Council agreed. Council Member Kohls stated that for now, this would be all that was needed stating that the final draft would be brought back for further review.

MOTION BY RICE, SECONDED BY WOLCOTT, TO:

- A. ACCEPT AND PLACE ON FILE THE FOLLOWING MINUTES:
 - i. ECONOMIC DEVELOPMENT AUTHORITY OF MARCH 9, 2004 AND APRIL 13, 2004.
 - ii. PUBLIC WORKS COMMISSION OF APRIL 12, 2004.
- B. ADOPT **RESOLUTION NO. 04-081**, AMENDING THE 2004 PAY PLAN FOR NON-REPRESENTED EMPLOYEES BY ADDING THE POSITION OF CITY ENGINEER IN GRADE IVA AND AUTHORIZE AN OFFER OF EMPLOYMENT TO JENNIFER LEVITT FOR THE POSITION OF CITY ENGINEER.
- C. PROCLAIM MAY 24 THROUGH JUNE 6, 2004, AS "BUCKLE UP, COTTAGE GROVE – CLICK IT OR TICKET" IN COTTAGE GROVE.
- D. AUTHORIZE ISSUANCE OF AN OUTDOOR EVENT PERMIT FOR DEMORI'S RESTAURANT AND LOUNGE TO HOLD AN OUTDOOR STREET DANCE IN THEIR PARKING LOT LOCATED AT 8200 HADLEY AVENUE SOUTH ON SATURDAY, JUNE 5, 2004.
- E. RECEIVE INFORMATION REGARDING REQUIREMENTS AND REASONING USED FOR DESIGNATING MUNICIPAL STATE AID STREETS.

- F. APPOINT CYNDIE LEARY TO THE HUMAN RIGHTS/SERVICES COMMISSION FOR A TERM OF MAY 19, 2004 THROUGH FEBRUARY 28, 2005.
- G. RECEIVE INFORMATION ON A GRANT APPLICATION WITH THE MINNESOTA HUMANITIES COMMISSION BY THE CITY OF COTTAGE GROVE HUMAN SERVICES/HUMAN RIGHTS COMMISSION.
- H. ADOPT THE PROCLAMATION OBSERVING MAY 16 THROUGH MAY 22, 2004 AS “PUBLIC WORKS WEEK” IN COTTAGE GROVE.
- I. ADOPT THE 2005 BUDGET CALENDAR.
- J. APPOINT GARY KJELLBERG TO THE PUBLIC WORKS COMMISSION FOR A TERM OF MAY 19, 2004 THROUGH FEBRUARY 28, 2005.
- K. AUTHORIZE STAFF TO ENTER INTO THE LEASE AGREEMENT WITH PATRIOT COMMERCIAL LEASING FOR THE LEASE PURCHASE OF THE FOOD AND BEVERAGE CART, AUTHORIZE PARTICIPATION IN THE ROYAL LINKS PROGRAM, AND AUTHORIZE THE SUPPLY AGREEMENT WITH COCA COLA.
- L. ADOPT **RESOLUTION NO. 04-082** APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF AN EMERGENCY GENERATOR AT QWEST’S COTTAGE GROVE CENTRAL PHONE SWITCHING OFFICE AT 7606 80TH STREET SOUTH.
- M. RECEIVE INFORMATION REGARDING ADHERENCE TO DEVELOPMENT APPROVALS.
- N. SEPARATE MOTION.
- O. CHANGE THE PUBLIC SAFETY, HEALTH AND WELFARE COMMISSION’S REGULAR MONTHLY MEETING DAY TO THE THIRD TUESDAY OF EACH MONTH.
- P. RECEIVE INFORMATION REGARDING THE LOWER ST. Croix VALLEY WATERSHED MANAGEMENT ORGANIZATION.

MOTION CARRIED. 4-0. (WOLCOTT DID NOT VOTE)

RESPONSE TO PREVIOUSLY RAISED OPEN FORUM ISSUES

PUBLIC HEARINGS

NONE

BID AWARDS

- A. Consider Awarding Bid for the 2004 Curb and Pavement Project.

Public Works Director Burshten provided the Council with a brief overview of the areas included in the curb and pavement project.

MOTION BY WOLCOTT, SECONDED BY RICE, TO AWARD THE BID TO DANNER, INC. IN THE BASE BID AMOUNT OF \$849,077.90 FOR THE 2004 CURB AND PAVEMENT PROJECT. MOTION CARRIED 5-0.

UNFINISHED AND NEW BUSINESS

- A. Consider Approving a Site Plan Review of an Auto Body Repair Shop to be located at 7515-95th Street South and a Conditional Use Permit to Allow Temporary Storage of Customer Vehicles in a Secured Parking Area.

Community Development Director Blin stated that they are no longer asking for the CUP to allow temporary outdoor storage of vehicles as the applicant is no longer planning to provide for vehicle storage on the site.

Blin reviewed the location of the auto repair shop noting that it would be adjacent to the new Post Office facility. He noted that the closest residential area is located approximately 280-feet from the proposed building. Blin also provided an overview of the drainage flume that runs behind the site. The original plan shows two access points onto 95th Street stating that it has been narrowed to one access point, which is what is similarly required for other properties along 95th Street. The original proposal also included a fenced area for damaged vehicles. He noted that this request has been eliminated from the plan. All damaged vehicles that are waiting for work would be stored inside the building. Blin provided Council with an overview of the elevations and construction materials noting that it would blend very well with the other businesses along 95th Street.

Mayor Shiely asked for further clarification of the proposed future addition and how it would affect the distance between the facility and the residential area. Community Development Director Blin stated that the future addition would be on the east side of the building and indicated that it would not bring the facility any closer to the residential area. He reviewed the access points into the facility with the Council noting that there is only one door entering and one door exiting the building. He stated that the Planning Commission reviewed the proposal last month and unanimously recommended approval. At a neighborhood informational meeting held to educate the area residents, five neighbors attended. Blin reviewed the residents concerns regarding potential emissions with the site noting that in his discussions with the PCA it was explained that they only license a body shop if they use more than 200 gallons of volatile chemicals. The applicant anticipates only 55 to 70 gallons per year, which is well within PCA requirements. Blin stated that they assured the residents that the emissions would be very minimal.

Lowell Titzloff and Michael and Joyce Brasher, applicants, provided the Council with a brief overview of the proposal.

Mr. Tetzlaff stated that Staff has done a great job in assisting them with this project. He acknowledged the residents concerns regarding emissions stating that they provided them with the emissions specifications for their review and explained the type of equipment that would be used at the facility. He stated that Joyce and Mike Brasher were also available and met with the residents to help alleviate any concerns and answer questions.

Mayor Shiely explained that her biggest concern was the possibility of outdoor storage. She acknowledged that a facility like this facility could have a good outside appearance noting that

she was concerned about the site line to the residents. She stated that she would withdraw her objection if the CUP and proposed outdoor storage has been removed from the plan.

Council Member Wolcott asked if they would be using the current resolution or alter it to accommodate the changes. He reviewed the proposed resolution with Council noting that Items 8, 13 and 24 of the resolution should be removed.

Council Member Kohls asked if the applicant would have to go back through the public hearing process if they, at some point in the future, decide to request an outdoor storage facility. City Administrator Schroeder confirmed that they would have to go back through the CIP process to make any further additions to the facility.

Mayor Shiely asked if the landscaping issues have been addressed. Community Development Director Blin confirmed that the landscaping has been addressed and reviewed with Council.

MOTION BY WOLOCTT, SECONDED BY RICE, TO ADOPT **RESOLUTION NO. 04-083** APPROVING A SITE PLAN REVIEW OF A 12,676 SQUARE FOOT AUTO BODY REPAIR SHOP BUILDING AND TO REMOVE ITEMS 8, 13, AND 24 FROM THE RESOLUTION REMOVING THE CONDITIONAL USE PERMIT REQUEST TO ALLOW THE TEMPORARY OUTDOOR STORAGE FACILITY AT 7515-95TH STREET SOUTH. MOTION CARRIED 5-0.

B. Consider Ratifying EDA Approval of Purchase/Sale Agreement relating to a proposed Auto Body Repair Facility within the Cottage Grove Industrial Park.

MOTION BY KOLS, SECONDED BY RICE, TO RATIFY EDA APPROVAL OF PURCHASE/SALE AGREEMENT RELATING TO AN AUTO BODY REPAIR FACILITY WITHIN THE COTTAGE GROVE INDUSTRIAL PARK CONTINGENT UPON APPROVAL OF THE SITE PLAN AND PROHIBITS OUTDOOR STORAGE OF VEHICLES. MOTION CARRIED 5-0.

RESPONSE TO PREVIOUSLY RAISED COUNCIL COMMENTS AND REQUESTS

NONE

COUNCIL COMMENTS AND REQUESTS

Referencing the waste hauling changes, Mayor Shiely stated that the recycling process is now a single sort process. She stated that the Management Analyst in the Public Works department is willing to set-up a tour of the facility that handles the single sort in Minneapolis. She stated that it would be a very educational, 45-minute tour noting that she intends to go on the tour, as she wants to be educated in the process when the issue is brought to the Council for discussion. She noted Woodbury's issues when this change occurred stating that they did not have very much information prior to having to address the changes. She stated that if any of the Council Members are interested in the tour to contact her or Brian Voelker at 651-458-2847. She noted that they would schedule the tour based on availability adding that

the tour would have to be scheduled sometime between Tuesday and Friday, as they are not in operation over the weekend.

PAY BILLS

MOTION BY WOLCOTT, SECONDED BY KOHLS, TO APPROVE PAYMENT OF CHECK NUMBERS 134505 THROUGH 134731 TOTALING \$457,355.45. (CHECKS 134505 – 134520 IN THE AMOUNT OF \$140,854.18 ISSUED PRIOR TO COUNCIL APPROVAL.)
MOTION CARRIED 5-0.

WORKSHOP SESSION – OPEN

NONE

WORKSHOP SESSION – CLOSED

NONE

ADJOURNMENT

MOTION BY KOHLS, SECONDED BY GROSSKLAUS, TO ADJOURN THE MEETING AT 8:30 P.M. MOTION CARRIED 5-0.

Respectfully submitted,

Bonita Sullivan
TimeSaver Off Site Secretarial, Inc.