

**REGULAR MEETING
COTTAGE GROVE CITY COUNCIL
March 15, 2006**

OPEN FORUM

At 7:15 p.m., Mayor Shiely announced that persons may address the City Council on subjects not on the regular meeting agenda but shall limit remarks to no more than two minutes. In that no one signed in or stepped forward to speak during open forum, Mayor Shiely stated that the regular meeting would officially be called to order at 7:30 p.m.

CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota, held a regular meeting on Wednesday, March 15, 2006, at the Cottage Grove City Hall, 7516 80th Street South. Mayor Shiely called the meeting to order at 7:30 p.m.

ROLL CALL

Upon roll call, the following were present: Mayor Sandy Shiely and Council Members Myron Bailey, Mark Grossklaus, Pat Rice and Karla Bigham.

Also present: Ryan Schroeder, City Administrator, Caron Stransky, City Clerk, Ron Hedberg, Finance & Administrative Services Director, Howard Blin, Community Development Director, Jennifer Levitt, City Engineer, Michael Zurbey, Interim Public Safety Director, Bob Vose, City Attorney, and Les Burshten, Public Works Director.

Mayor Shiely presided over the meeting.

ADOPTION OF AGENDA

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

PRESENTATIONS

A. Pledge of Allegiance-ROTC Color Guard

The Park High School ROTC Color Guard Unit led the Council in the pledge of allegiance.

B. Recognize Commission Volunteers

The Mayor and Council thanked Kyle Lindquist, Kathleen Klein and Allan DuBois for their years of service to the community as members of the City Advisory Commissions and presented a certificate of appreciation to Kyle Lindquist, in attendance. Ms. Klein and Mr. DuBois were not in attendance to receive their certificates.

APPROVAL OF MINUTES

A. January 18, 2006 Regular Meeting

There being no amendments, Mayor Shiely stated that the minutes stand approved as presented.

CONSENT CALENDAR

The Council pulled and briefly discussed items K and L on the consent calendar.

Mayor Shiely pulled Item K announcing that Item K schedules the 2006 Regional Board of Appeals and Equalization Open Book Meetings for residents of Cottage Grove.

Council Member Bigham pulled Item L, BNSF Bridge over 103rd Street, expressed concern about the existing height of the bridge and the 's-curve' of the roadway. The Public Safety ladder truck has a difficult time maneuvering under the bridge. Bigham noted that she realizes it would be costly, but wondered whether we could get additional options.

Council Member Bailey commented that he was hoping that we could possibly look at a third option - straightening the road. He acknowledged that it might cost some money up front but he noted that he preferred to remove the 's-curve' of the road and not have the road remain as it was now with just a reinforced bridge.

Administrator Ryan Schroeder noted that the ladder truck is approximately 12-feet high, and the new bridge design is about 14.5 feet; therefore, there would be plenty of room for the ladder truck to drive under the bridge.

Schroeder noted that BNSF Railroad is proposing to replace the current bridge for approximately \$1.0 million, with no cost participation required from the City. Replacement of the bridge will provide us an opportunity to either expand the roadway underneath from about 20-feet wide to 28-feet wide and/or straighten the road.

Schroeder highlighted a number of issues surrounding lowering the street under the bridge, future development in Grey Cloud Island Township, and the assessment of the cost of the roadway improvements in the future.

Mayor Shiely noted that at some point in the future we could face a large-scale development and/or a State Park on Grey Cloud Island. This is when the City should consider lowering the roadway.

Council Member Grossklaus expressed concern that the life expectancy of a new bridge is 75 years. A decision made now will impact this area. He noted that there is a development proposed in a neighboring community where they want Cottage Grove to participate with them in connecting to 95th Street South, and asked whether it would make more sense connecting this road rather than 95th Street South.

Bailey stated that there may be more options that we haven't discussed. He stated he does not feel the trail is a good option, and there is no need for a trail. On the other hand, we do

know that there is development in St. Paul Park that will need access. This may force traffic to the 103rd Street Bridge.

Bailey noted he would like to see what the improvements would look like. He questioned whether the width of Option 2 was to straighten the road or to install a trail. City Engineer Jennifer Levitt responded that it is primarily to straighten the road.

MOTION BY BIGHAM, SECONDED BY BAILEY, TO TABLE ITEM #L. MOTION CARRIED. 4-1 (RICE VOTING NAY).

MOTION BY RICE, SECONDED BY BAILEY, TO:

- A. ACCEPT AND PLACE ON FILE THE FOLLOWING MEETING MINUTES:
 - i. ECONOMIC DEVELOPMENT AUTHORITY MINUTES OF THE NOVEMBER 8, 2005, DECEMBER 13, 2005, AND JANUARY 10, 2006 MEETINGS.
 - ii. PLANNING COMMISSION MINUTES OF THE JANUARY 23, 2006 MEETING.
- B. APPROVE THE LAND SURVEYOR'S CERTIFICATE OF CORRECTION TO PLAT FOR PINE ARBOR 2ND ADDITION AND AUTHORIZE THE CITY CLERK TO SIGN AND RECORD THE DOCUMENT WITH WASHINGTON COUNTY.
- C. APPROVE THE SUBDIVISION AGREEMENT WITH U.S. HOME CORPORATION FOR PINE ARBOR 3RD ADDITION.
- D. PASS **ORDINANCE NO. 787**, AMENDING TITLE 11-3-9(D)(6)(d) OF THE CITY CODE RELATING TO LOCATION OF PARKING FACILITIES, AND TITLE 11-11-4 OF THE CITY CODE RELATING TO DEVELOPMENT STANDARDS FOR THE I-5, RAILROAD ACCESS INDUSTRIAL DISTRICT.
- E. APPROVE A VARIANCE TO TITLE 7-3-4 (G) OF THE COTTAGE GROVE CITY CODE AND ALLOW THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT A STRAWBERRY FEST ADULT SOFTBALL TOURNAMENT TO BE HELD AT THE LAMAR BALL FIELDS ON SATURDAY, JUNE 17, 2006.
- F. APPROVE AN EXTENSION OF GLEN KLEVEN'S SERVICE ON THE ECONOMIC DEVELOPMENT AUTHORITY UNTIL A NEW MEMBER HAS BEEN APPOINTED OR FOR ONE YEAR, WHICHEVER OCCURS FIRST.
- G. APPROVE THE APPOINTMENT OF JASON LANCELOT CAVALLO AND TRACY PONCIN TO THE PLANNING COMMISSION FOR TERMS TO EXPIRE ON FEBRUARY 28, 2007 AND FEBRUARY 28, 2009, RESPECTIVELY.
- H. ADOPT **RESOLUTION NO. 06-047**, APPROVING A COMPREHENSIVE PLAN AMENDMENT TO EXPAND THE METROPOLITAN URBAN SERVICE AREA BOUNDARY TO INCLUDE THE INDUSTRIALLY GUIDED PROPERTY LOCATED TO THE EAST OF JAMAICA AVENUE SOUTH AND NORTH OF 100TH STREET SOUTH,

COMMONLY KNOWN AS THE GLENDENNING PARCEL. (CASE CP06-004).

- I. AUTHORIZE THE COTTAGE GROVE FIRE DEPARTMENT'S PARTICIPATION IN A REGIONAL GRANT APPLICATION PROCESS WITH THE WASHINGTON COUNTY FIRE CHIEFS ASSOCIATION TO UPGRADE EXISTING RADIO COMMUNICATIONS TO 800 MHZ, AN UNFUNDED MANDATE (MINN. STAT. ¶ 473.891- 473.905).
- J. ADOPT **RESOLUTION NO. 06-048**, A RESOLUTION PROMOTING THE USE OF INTRASTATE MUTUAL AID AGREEMENTS TO STAY IN COMPLIANCE WITH THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS).
- K. SCHEDULE THE 2006 OPEN BOOK MEETINGS AS FOLLOWS: APRIL 13TH FROM 5:00 P.M. TO 7:00 P.M. AT THE COTTAGE GROVE CITY HALL; APRIL 19TH FROM 5:00 P.M. TO 7:00 P.M., AT THE OAKDALE CITY HALL, AND MAY 3, 2006 FROM 1:00 P.M. TO 7:00 P.M., AT THE WASHINGTON COUNTY GOVERNMENT CENTER.
- L. TABLED.
- M. ADOPT **RESOLUTION NO. 06-049**, APPROVING PLANS AND SPECIFICATIONS AND ESTABLISHING A BID DATE OF APRIL 20, 2006, AT 10:30 A.M. FOR THE PINE ARBOR 3RD ADDITION UTILITY, STREET AND STREET LIGHTING IMPROVEMENT PROJECT.
- N. AUTHORIZE THE PURCHASE OF A MICROSOFT EXCHANGE SERVER AND MICROSOFT OUTLOOK EMAIL SYSTEM FROM SOLBREKK FOR \$32,166.
- O. GRANT A THREE-MONTH EXTENSION OF THE "ON SALE" INTOXICATING LIQUOR LICENSE TO D.M.D., INC., DBA DEMORI'S RESTAURANT AND BACK DOOR LOUNGE LOCATED AT 8200 HADLEY AVENUE SOUTH FROM APRIL 1, 2006 THROUGH JUNE 30, 2006, CONDITIONED ON RECEIPT OF A CERTIFICATE OF LIQUOR LIABILITY INSURANCE COVERING THE LICENSE PERIOD AND PAYMENT OF THE PRORATED LICENSE FEE OF \$2,375.00.
- P. PASS **ORDINANCE NO. 788**, AN ORDINANCE INCREASING THE TRUNK SANITARY SEWER, WATER AND STORM SEWER UTILITY AREA CHARGES, AND ADOPT **RESOLUTION NO. 06-050**, A RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE NO. 788 BY TITLE AND SUMMARY.
- Q. ADOPT **RESOLUTION NO. 06-051**, APPROVING THE APPLICATIONS OF THE COTTAGE GROVE ATHLETIC ASSOCIATION FOR A PREMISE PERMIT TO CONDUCT LAWFUL PURPOSE GAMBLING OPERATIONS AT THE COTTAGE GROVE BINGO HALL AND AMERICAN MOTORSPORTS BAR & GRILL LOCATED AT 7240 EAST POINT DOUGLAS ROAD SOUTH, CONDITIONED ON COMPLIANCE WITH THE ITEMS OUTLINED IN THE MEMO OF CITY CLERK CARON STRANSKY INCLUDED IN THE AGENDA PACKET.

MOTION CARRIED. 5-0.

RESPONSE TO PREVIOUSLY RAISED OPEN FORUM ISSUES

PUBLIC HEARINGS

A. Massage Business and Massage Therapist License Applications

1. Connie Phelps, DBA Gymtones Massage

Mayor Shiely opened the public hearing to consideration the application of Connie Phelps, DBA Gymtones Massage to operate a massage business at 7750 Harkness Avenue South, Cottage Grove.

Ms. Phelps, the applicant, was in attendance.

City Clerk Caron Stransky indicated that staff recommends issuance of the business license, as well as a massage therapist license to Connie Phelps, conditioned on completion of an on-site inspection of the premises by the City's Building Official.

There being no further comments on the applications, Mayor Shiely closed the public hearing.

MOTION BY RICE, SECONDED BY BAILEY, TO AUTHORIZE ISSUANCE OF A MASSAGE BUSINESS LICENSE AND MASSAGE THERAPIST LICENSE FOR THE REMAINDER OF 2006, TO CONNIE PHELPS TO OPERATE AT 7750 HARKNESS AVENUE SOUTH, DBA GYMTONES MASSAGE, SUBJECT TO COMPLETION OF AN ON-SITE INSPECTION OF THE PREMISES BY THE CITY'S BUILDING OFFICIAL. MOTION CARRIED. 5-0.

2. Wendy Alfveby, DBA Bodyworks by Wendy

Mayor Shiely opened the public hearing to consider renewal of the massage business license and massage therapist license to Wendy Alfveby to operate a home-based business at 7751 110th Street South, DBA Bodyworks by Wendy.

Ms. Alfveby, the applicant, was in attendance, noting she now offers heated stone therapy.

There being no further comments, Mayor Shiely closed the public hearing.

MOTION BY BIGHAM, SECONDED BY GROSSKLAUS, TO AUTHORIZE RENEWAL OF A MASSAGE BUSINESS LICENSE AND MASSAGE THERAPIST LICENSE FOR 2006, TO WENDY ALFVEBY TO OPERATE A HOME-BASED BUSINESS AT 7751 110TH STREET SOUTH, DBA BODYWORKS BY WENDY. MOTION CARRIED. 5-0.

3. Catherine Mosites DBA Breath of Fresh Air

Mayor Shiely opened the public hearing to consider renewal of the massage business license and massage therapist license to Catherine Mosites to operate a home-based business at 9742 85th Street South, DBA Breath of Fresh Air.

Ms. Mosites, the applicant was in attendance.

There being no comments on the application, Mayor Shiely closed the public hearing.

MOTION BY BAILEY, SECONDED BY RICE, TO AUTHORIZE RENEWAL OF A MASSAGE BUSINESS LICENSE AND MASSAGE THERAPIST LICENSE FOR 2006, TO CATHERINE MOSITES TO OPERATE A HOME-BASED BUSINESS AT 9742 85TH STREET SOUTH, DBA BREATH OF FRESH AIR. MOTION CARRIED. 5-0.

B. Preliminary Plat and Final Plat for Silverwood 2nd Addition

Mayor Shiely opened the public hearing to consider approval of the preliminary plat and final plat for Silverwood 2nd Addition.

Community Development Director Howard Blin provided the Council with a brief overview of the applications of Town & Country Homes for a preliminary plat and final plat to subdivide a one-acre parcel of land at 7570 65th Street South into two parcels to be known as Silverwood 2nd Addition.

Shawn Siders representing the applicant presented renderings of the homes to be built.

There being no further comments, Mayor Shiely closed the public hearing.

MOTION BY RICE, SECONDED BY GROSSKLAUS, TO ADOPT RESOLUTION NO. 06-052, APPROVING THE PRELIMINARY PLAT AND FINAL PLAN NAMED SILVERWOOD 2ND ADDITION. MOTION CARRIED. 5-0.

BID AWARDS – None

UNFINISHED AND NEW BUSINESS

A. Conditional Use Permit Amendment – Hope Community Church

Community Development Director Howard Blin provided a brief overview of the application of Vanman Architects & Buildings, Inc., on behalf of Hope Community Church, to amend their conditional use permit to construct an addition on the north side of their existing church and to expand the parking lot at 8300 Hyde Avenue South (CUP06-006). He indicated the Planning Commission recommends approval based on the conditions listed in the draft resolution.

Steve Wallick, Vanman Architects and Builders, Golden Valley, representing the applicant, presented computer renderings of the proposed expansion noting that additional trees will be planted, bringing the church closer to the City's requirements.

MOTION BY BIGHAM, SECONDED BY BAILEY, TO ADOPT RESOLUTION NO. 06-053, APPROVING AN AMENDMENT TO HOPE COMMUNITY CHURCH'S CONDITIONAL USE PERMIT TO ALLOW AN ADDITION TO THEIR BUILDING AND PARKING LOT LOCATED AT 8300 HYDE AVENUE SOUTH. MOTION CARRIED. 5-0.

B. Draft Surface Water Management Plan

Rick Brasch of Bonestroo, Rosene, Anderlik & Associates, briefly highlighted the Draft Surface Water Management Plan, indicating that it will serve as a guide to manage the surface water system throughout the City. The plan identifies from a regional perspective the storm water quantity and quality improvements necessary to allow future development to take place and minimize its impact to downstream water bodies.

MOTION BY BAILEY, SECONDED BY BIGHAM, TO APPROVE THE DRAFT SURFACE WATER MANAGEMENT PLAN AS SUBMITTED AND AUTHORIZE STAFF TO DISTRIBUTE THE PLAN TO SURROUNDING COMMUNITIES AND THE SOUTH WASHINGTON WATERSHED DISTRICT AND LOWER ST. CROIX WMO. MOTION CARRIED. 5-0.

C. Comprehensive Plan Amendment and East Ravine Master Plan

Community Development Director Howard Blin presented the draft East Ravine Comprehensive Plan amendment to be incorporated into our Comprehensive Plan Master Plan. He noted that the Metropolitan Council approved the plan submittal with no significant comments.

Council Member Bigham stated she would like to see the south end of Neighborhood 2 remain guided as park.

Council Member Grossklaus stated that on 70th Street and Co. Rd. 19, how do we ensure developers follow our Plan. In terms of implementing the Plan, Blin stated the key element is rezoning property. In the Plan is a staging plan, which calls for Neighborhood 1 North to develop first, Neighborhood 1 South second, etc. None of the property is currently zoned

for development; therefore, we would begin to rezone the Neighborhood 1 North area, which would allow development, but not rezone Neighborhood 1 South or Neighborhood 2.

Mayor Shiely stated that in the Regional Policies section of the Plan, the Metropolitan Council indicates that the City's population forecasts are substantially higher than the Metropolitan Council's. Blin stated that the discrepancy is due to the household size assumptions of the Metropolitan Council that are lower than the City's assumptions.

Mayor Shiely complimented the Community Development Department and thanked the citizens of the community who participated in the process and to those who served on the East Ravine Task Force.

MOTION BY BIGHAM, SECONDED BY GROSSKLAUS, TO ADOPT **RESOLUTION NO. 06-054**, A RESOLUTION APPROVING THE MASTER PLAN AND COMPREHENSIVE PLAN AMENDMENT FOR THE EAST RAVINE MASTER PLANNING AREA, AND THE PROPERTY LOCATED EAST OF CO. RD. 19 AND SOUTH OF THE REGIONAL PARK, WHICH IS IDENTIFIED AS COMMERCIAL, BE CHANGED TO "PARK AND OPEN SPACE LAND USE DESIGNATION". MOTION CARRIED. 5-0.

RESPONSE TO PREVIOUSLY RAISED COUNCIL COMMENTS AND REQUESTS

NONE.

COUNCIL COMMENTS AND REQUESTS

Council Member Grossklaus complimented the Public Works Department on the recent snow removal efforts.

PAY BILLS

MOTION BY RICE, SECONDED BY BIGHAM, TO APPROVE PAYMENT OF CHECK NUMBERS 144035 TO 144248 TOTALING \$470,745.61. MOTION CARRIED. 5-0.

Mayor Shiely called for a brief recess at 8:45 p.m. and reconvened the meeting at 8:55 p.m.

WORKSHOP SESSION – OPEN TO PUBLIC

A. Discussion on Standards for Local Street Widths and Development Staging for the East Ravine

Mayor Shiely announced that this workshop session is the first in a series of workshops on the East Ravine. The topics of discussion this evening include standards for local street widths and development staging. Shiely noted the proposal to change the standard width for local residential streets from the current 32 feet to 28 feet is included in the East Ravine Master Plan.

Community Development Director Howard Blin noted that the change in street widths would only apply to local streets; standards for collector and arterial streets would remain unchanged. The 60-foot width for local street rights of way would also remain unchanged. Blin then provided five (5) reasons for the proposal: reduced speeds, reduced storm water runoff, wider boulevards, lower maintenance costs, and improved aesthetics. Blin highlighted the current standards for local street widths in a sampling of developing Twin Cities suburbs ranging from 26 feet in Eden Prairie and Plymouth, to 32 feet in Andover, Cottage Grove, and Forest Lake.

Blin noted that the proposal to change the street widths was presented to the Planning Commission, Public Works Commission, Public Safety Commission, and the East Ravine Citizen Advisory Team. All groups recommend that the existing standard of 32-foot wide be maintained.

Mike Rygh suggested looking at setback requirements for sidewalk and boulevard streets. Today people are looking for small streetscapes and cozy higher-quality neighborhoods.

Council Member Bigham asked what the parking requirements are in communities with 28-foot widths. Blin responded the City of Plymouth whose standard is 26-feet allows parking on both sides of the road.

Public Works Director Les Burshten and Public Works Supervisor Harry Taylor concurred that narrower roads would require less in maintenance; however, the department, the school district, garbage trucks, delivery trucks, and communication firms (Xcel Energy, Cable), et. al., are opposed to narrowing the local street widths. Mr. Burshten felt strongly that at minimum 30-feet is needed curb to curb, thereby leaving more room for parking.

Interim Public Safety Director Mike Zurbey provided accident statistics on local streets, noting that he did not feel vehicle speed limits would be drastically reduced as speculated. The Public Safety, Health, and Welfare Commission already recommended maintaining 32-foot widths.

City Administrator Ryan Schroeder distributed a report he prepared, a copy of which will be included in the Agenda Packet, in support of changing the local street widths in the East Ravine.

Jim Wolcott shared a story with Council regarding firefighter employees. When you talk about street width, keep in mind that you do not drive on the curb or in the gutter.

Council Member Bigham stated we should not make it difficult for utility vendors to drive through residential streets. In Auburn Woods, it is difficult to pass vehicles. She stated numerous advisory commissions/committees have recommended maintaining existing street width.

Mayor Shiely stated she does not believe all of the commissions received all of the information including pros and cons. She stated she does not believe Woodbury residents are unsafe due to the narrower road widths. Shiely stated she would like more information

about storm water runoff. This should have been an issue addressed by Public Works. Let us do something different, something new for developers. She suggested 30-foot widths.

Council Member Bigham stated that the Public Safety and Public Works Commissions have stated that they would live by whatever the City Council decides.

Council Member Grossklaus stated that the City Council appointed a task force and they voted 19 to 1 in favor of maintaining existing local street widths.

Administrator Schroeder explained the difference between the West Draw and East Ravine Plans. The East Ravine Plan is very specific while the West Draw was vague.

Council Member Grossklaus indicated this is the first issue within the East Ravine Plan that we have been asked to deal with. Blin clarified that this is the first of many to come.

Gary Kjellberg, member of the Public Works Commission, stated you could always find data to support an opinion.

Mayor Shiely asked Community Development Director Blin if he would support a compromise of local street widths of 30-feet in the East Ravine. Blin stated that 30-feet would be a step in the right direction.

Mr. Kjellberg stated we should be looking at our experts – staff. He stated he supported 32-foot local street widths.

Council Member Bailey asked Public Works Director Les Burshten what makes 30-32 foot road surfaces his preference. Mr. Burshten stated that 8-feet is needed on each side for parking. This leaves 14 feet, not enough room for two cars to pass each other. Bailey stated recently on a 28-foot road, he found himself drive slower, also noting that the watershed district prefers narrower roads. He stated he was concerned about what other cities, such as the cities of Rogers, Elk River, Shakopee, and Prior Lake are doing in newer neighborhoods. In the developing neighborhoods, did they change their design standards, and if so, when?

Due to the hour, Mayor Sheily deferred discussion on development staging for the East Ravine to the April 19, 2006 meeting.

ADJOURNMENT

MOTION BY BIGHAM, SECONDED BY GROSSKLAUS, TO ADJOURN THE REGULAR MEETING AT 10:58 P.M. MOTION CARRIED. 5-0.

Respectfully submitted,

Caron M. Stransky
City Clerk