

REGULAR MEETING COTTAGE GROVE CITY COUNCIL

July 5, 2006

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 Myron Bailey
Council Member Karla Bigham
Council Member Mark Grossklaus
Council Member Pat Rice

Also Present: Ryan Schroeder, City Administrator
Howard Blin, Community Development Director
Les Burshten, Public Works Director
Corrine Thomson, City Attorney
Craig Woolery, Public Safety Director

Gary Kelberg, 7389 Inman Avenue So., expressed appreciation to retiring Interim Public Safety Director Michael Zurbey for 30 years of service and wished him well on his retirement. Mayor Shiely, the Council and those attending also extended appreciation.

Heather Mohr, 8492 Goodview Avenue So., reported that she started Summer Speed, a project she began with the Junior Young Leaders Conference concerning the high rates of speed on 85th Street, a program that monitored speed limits exceeding the posted 30 mile-per-hour limit between June 27 and 29. With 456 cars surveyed, 295 drove over the limit, 92 of those over 35 miles per hour, 30 of those over 38, and 15 of those over 40, with 65% speeding during open swimming pool hours. She proposed lowering the speed limit to 25 miles per hour and installing a posted recreational sign by the pool and on Granada.

Mayor Shiely thanked Ms. Mohr and asked that the Public Safety Department respond at the July 19 Council meeting.

There being no additional speakers, the Open Forum was closed at 7:20 p.m.

CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota, held a regular meeting on Wednesday, July 5, 2006, 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 Myron Bailey
Council Member Karla Bigham
Council Member Mark Grossklaus
Council Member Pat Rice

Also Present: Ryan Schroeder, City Administrator
Howard Blin, Community Development Director
Les Burshten, Public Works Director
Corrine Thomson, City Attorney
Craig Woolery, Public Safety Director

ADOPTION OF AGENDA

MOTION BY RICE, SECONDED BY BAILEY, TO APPROVE THE AGENDA AS PRESENTED.

MOTION CARRIED 5-0.

PRESENTATIONS

- A. Appoint Craig Woolery to the position of Public Safety Director.

MOTION BY BAILEY, SECONDED BY BIGHAM, TO APPROVE THE APPOINTMENT OF CRAIG WOOLERY TO THE POSITION OF PUBLIC SAFETY DIRECTOR.

MOTION CARRIED 5-0.

- B. Administer Oath of Office

The City Administrator administered the Oath of Office to Craig Woolery, who then expressed personal thanks to those attending.

APPROVAL OF MINUTES

- A. May 3, 2006, Regular Meeting

Mayor Shiely stated that the minutes stand approved as presented.

- B. May 17, 2006, Regular Meeting

Mayor Shiely stated that the minutes stand approved as presented.

CONSENT CALENDAR

Council Member Bailey pulled items 4-B and 4-D for discussion.

Consider accepting a donation from Cogentrix/LSP Cottage Grove for the Economic Development Trust Fund.

Council Member Bailey said that he wanted to acknowledge and extend appreciation to Cogentrix/LSP for their continued support of the economic vitality of the City of Cottage Grove and that they have been making this donation for a long time.

Accept the resignation of Jennifer Osborne from the Public Safety, Health and Welfare Commission.

Council Member Bailey said that, as liaison, he wanted to report that Ms. Osborne was resigning from the commission because she was moving out of the area and he wanted to extend appreciation for her four years of service. Mayor Shiely also expressed appreciation and wished her well.

Mayor Shiely pulled item 4-G for discussion.

Consider adopting a resolution to apply for the Minnesota Safe Routes to School Grant to use for the installation of a sidewalk on the east side of Hinton Avenue from 76th Street to 70th Street.

Kathryn Koehner, 7755 74th Street, said she wanted to comment because of vested property interest in that side of street and wondered where the sidewalk is going to be placed, adding that easements aren't such that it could be done without changing the road or property. She said she understood the issues but isn't aware of any children walking to school in that area.

The City Administrator stated that the district had become aware of the grant funds deadline of July 6, so it was added to the evening's agenda. He said if a grant award offer was received, it would come before the Council to accept or reject.

Public Works Director Burshten stated there have been no stakes or surveying at this point and they would want to stay away from the property as much as possible, but that the area would be a challenge.

City Administrator Schroeder added that there were other sites being considered for the grant, including an extension of a trail that goes from the school property to 76th.

Glen Jorgenson, 7756 74th Street South, said he has lived in Cottage Grove since 1978, is opposed to the sidewalk, and would not want one placed 20 feet from his home because of decreased property value and potential water problems resulting from water displacement from current drain, caused by the sidewalk installation.

Mayor Shiely suggested to Council about asking for a higher grant amount (up to \$175,000) and expecting less, rather than assuming the amount requested (\$90,000) would be granted.

Council Member Bigham pulled item 4-H for discussion.

Consider adopting a resolution to accept the donation of a trailer valued at \$2,400 from the Cottage Grove Fire Auxiliary to the Public Safety Department, Fire Division, to be used to place a ventilation training prop for fire training.

Council Member Bigham said it was very nice of them to help out with that fundraising.

MOTION BY BAILEY, SECONDED BY RICE, TO:

- A. ACCEPT AND PLACE ON FILE THE FOLLOWING MINUTES:
 - i. February 2006 through May 2006 Economic Development Authority Meeting Minutes.
 - ii. May 8, 2006, Public Works Commission Meeting Minutes.
 - iii. May 22, 2006, Planning Commission Minutes.
- B. ADOPT **RESOLUTION NO. 06-113** ACCEPTING A DONATION FROM COGENTRIX/LSP COTTAGE GROVE FOR THE ECONOMIC DEVELOPMENT TRUST FUND.
- C. ADOPT **RESOLUTION NO. 06-114** AUTHORIZING PUBLICATION OF ORDINANCE NO. 792 BY TITLE AND SUMMARY.
- D. ACCEPT THE RESIGNATION OF JENNIFER OSBORNE FROM THE PUBLIC SAFETY, HEALTH AND WELARE COMMISSION.
- E. RECEIVE RESPONSE TO THE JUNE 21, 2006 WORKSHOP ON PUBLIC FACILITIES.
- F. APPROVE A SITE LEASE AGREEMENT ALLOWING VERIZON WIRELESS TO INSTALL ANTENNAS ON THE HIGHLANDS WATER TOWER.
- G. ADOPT **RESOLUTION 06-115** TO APPLY FOR THE MINNSEOTA SAFE ROUTES TO SCHOOL GRANT TO USE FOR THE INSTALLATION OF A SIDEWALK ON THE EAST SIDE OF HINTON AVENUE FROM 76TH STREET TO 70TH STREET.
- H. ADOPT **RESOLUTION 06-116** TO ACCEPT THE DONATION OF A TRAILER VALUED AT \$2,400 FROM THE COTTAGE GROVE FIRE AUXILIARY TO THE PUBLIC SAFETY DEPARTMENT, FIRE DIVISION, TO BE USED TO PLACE A VENTILATION TRAINING PROP FOR FIRE TRAINING.
- I. ADOPT **RESOLUTION NO. 06-117** TO ACCEPT THE FEASIBILITY REPORT, APPROVING THE PLANS AND SPECIFICATIONS, AND ESTABLISHING A BID DATE OF JULY 27, 2006, FOR THE CANADIAN PACIFIC RAILWAY ADDITION IMPROVEMENT PROJECT.
- J. ADOPT **RESOLUTION NO. 06-118** TO ORDER THE ABATEMENT OF NUISANCE CONDITIONS AT 7092 IRVIN AVENUE SOUTH.

MOTION CARRIED 5-0.

RESPONSE TO PREVIOUSLY RAISED OPEN FORUM ISSUES

NONE.

PUBLIC HEARING

- A. Hold a Public Hearing authorizing issuance of an On-Sale Wine Intoxicating and On-Sale 3.2 Beer License to WS Enterprises LLC/DBA Carbone's Pizzeria, 7155 Jorgensen Lane South, conditioned on compliance with the provisions of the Cottage Grove City Code and Minnesota Statutes relating to alcoholic beverages, compliance with the conditions of the conditional use permit, and receipt of a certificate of liquor liability insurance.

Mayor Shiely asked for staff and/or Council comments.

City Administrator Schroeder reported that with both the wine license along with the 3.2 license allows for wine, strong beer and 3.2 beer service.

Mayor Shiely opened the public hearing at 7:52 p.m.

There being no speakers, Mayor Shiely closed the public hearing at 7:53 p.m.

MOTION BY GROSSKLAUS, SECONDED BY BIGHAM, TO AUTHORIZING ISSUANCE OF AN ON-SALE WINE INTOXICATING AND ON-SALE 3.2 BEER LICENSE TO WS ENTERPRISES LLC/DBA CARBONE'S PIZZARIA, 7155 JORGENSEN LANE SOUTH, CONDITIONED ON COMPLIANCE WITH THE PROVISIONS OF THE COTTAGE GROVE CITY CODE AND MINNESOTA STATUTES RELATING TO ALCOHOLIC BEVERAGES, COMPLIANCE WITH THE CONDITIONS OF THE CONDITIONAL USE PERMIT, AND RECEIPT OF A CERTIFICATE OF LIQUOR LIABILITY INSURANCE.

MOTION CARRIED 5-0.

- B. Hold the public hearing on a variance application to sideyard setback requirements to allow a deck to be constructed at 6385 Goodview Bay South. Consider approving the deck variance.

Mayor Shiely asked for staff and/or Council comments.

Community Development Director Blin reported that the Planning Commission had unanimously recommended approval of the variance because findings justified it based on the irregular angle of the lot.

Council Member Grossklaus inquired as to whether this situation could be avoided in the future.

Community Development Director Blin responded by saying that builders need to provide

enough room for a deck door when designating deck space on house plans. He also confirmed that the variance included no removal of trees.

Mayor Shiely opened the public hearing at 7:56 p.m.

There being no speakers, the Mayor Shiely closed the public hearing at 7:57 p.m.

MOTION BY RICE, SECOND BY BIGHAM, TO ADOPT **RESOLUTION NO. 06-119** APPROVING A VARIANCE APPLICATION TO SIDEYARD SETBACK REQUIREMENTS TO ALLOW A DECK TO BE CONSTRUCTED AT 6385 GOODVIEW BAY SOUTH.

MOTION CARRIED 5-0.

BID AWARDS

- A. Consider authorizing the purchase of the Mobile Command Vehicle from Farber Specialty Vehicles under the GSA program for \$149,670 and the purchase of two laptop computers at a cost of \$5,500 each.

Public Safety Director Woolery said it has been a work in progress, originally authorized for \$135,000, and commended Deputy Fire Chief Rick Redinius and Police Sergeant Brian Wilson for their research in finding the best value for this communications vehicle. He said it is a functional, 30-foot chassis, three-communications vehicle that will provide service to the City for many years.

Council Member Bailey said it was impressive for the price and inquired about delivery.

Public Safety Director Woolery responded that he believed it would take 90 days.

MOTION BY BIGHAM, SECOND BY BAILEY, TO APPROVE PURCHASE OF THE MOBILE COMMAND VEHICLE FROM FARBER SPECIALTY VEHICLES UNDER THE GSA PROGRAM FOR \$149,670 AND THE PURCHASE OF TWO LAPTOP COMUPTERS AT A COST OF \$5,500 EACH.

Mayor Shiely added that the impetus for the purchase of the mobile command vehicle came about after the UpNorth Plastics fire when Cottage Grove had to rely on Woodbury's vehicle.

MOTION CARRIED 5-0.

UNFINISHED AND NEW BUSINESS

NONE.

RESPONSE TO PREVIOUSLY RAISED COUNCIL COMMENTS AND REQUESTS

NONE.

COUNCIL COMMENTS AND REQUESTS

Council Member Grossklaus thanked the Cottage Grove Jaycees for their time and effort with the July 4th fireworks.

Mayor Shiely reminded Council about Safety Camp July 16-18.

PAY BILLS

MOTION BY BIGHAM, SECONDED BY BAILEY, TO APPROVE PAYMENT OF CHECK NUMBERS 145662 TO 145877 IN THE AMOUNT OF \$791,949.86.

MOTION CARRIED 5-0.

WORKSHOP SESSION – OPEN

NONE.

WORKSHOP SESSION – CLOSED

NONE.

ADJOURNMENT

MOTION BY RICE, SECONDED BY BAILEY, TO ADJOURN THE MEETING AT 8:00 P.M.

MOTION CARRIED 5-0.

Respectfully submitted,

Mary Heintz
TimeSaver Off Site Secretarial, Inc.