

REGULAR MEETING COTTAGE GROVE CITY COUNCIL

July 19, 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. Acting Mayor Rice encouraged persons to limit their remarks to two (2) minutes per issue.

Present: Acting Mayor Pat Rice
 Council Member Myron Bailey
 Council Member Karla Bigham
 Council Member Mark Grossklaus

Not Present: Mayor Sandy Shiely

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
 Jennifer Levitt, City Engineer

Rick Pedrow, 6142 Summit Curves, said he had been in communication with Council Member Bailey regarding Thompson Parkway to discuss problematic issues of weeds in mulch beds and grass being cut too short. He said he had also spoken with Harold Taylor, who had indicated there may be insufficient irrigation zones, and suggested the City look into the matter. Mr. Pedrow further reported that he and Council Member Bailey agreed to survey the mulch beds and then submitted photos for Council review.

Peter Crum, 15199 209th Street No., Scandia, candidate for Washington County Sheriff, introduced himself to the Council and gave a brief overview of his background.

There being no additional speakers, the Open Forum was closed at 7:21 p.m.

CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota, held a regular meeting on Wednesday, July 19, 2006, at the Cottage Grove City Hall, 7516 80th Street South. Acting Mayor Pat Rice called the meeting to order at 7:30 p.m.

ROLL CALL

Present: Acting Mayor Pat Rice
Council Member Myron Bailey
Council Member Karla Bigham
Council Member Mark Grossklaus

Not Present: Mayor Sandy Shiely

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
Jennifer Levitt, City Engineer

ADOPTION OF AGENDA

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

MOTION CARRIED 4-0.

PRESENTATIONS

- A. Consider approving the appointments of Brian Wilson and Peter Koerner to the position of Police Captain/Deputy Director of Public Safety.

MOTION BY BIGHAM, SECONDED BY GROSSKLAUS, TO APPROVE THE APPOINTMENTS OF BRIAN WILSON AND PETER KOERNER TO THE POSITION OF POLICE CAPTAIN/DEPUTY DIRECTOR OF PUBLIC SAFETY.

MOTION CARRIED 4-0.

The City Administrator administered the Oaths of Office to Brian Wilson and Peter Koerner, who both then expressed thanks. The Public Safety Director expressed his personal congratulations.

APPROVAL OF MINUTES

- A. July 5, 2006, Regular Meeting

There being no additions or corrections, Acting Mayor Rice stated that the minutes stand approved as presented.

CONSENT CALENDAR

Council Member Bigam pulled item G and said she wished to thank Cheryl Kohls on behalf of the City's citizens and the Fire Department for the generous donation.

MOTION BY GROSSKLAUS, SECONDED BY BAILEY, TO:

- A. **ACCEPT AND PLACE ON FILE THE FOLLOWING MINUTES: NONE SUBMITTED.**
- B. **ADOPT RESOLUTION 06-120 APPROVING THE ORDINANCE SUMMARY OF THE EAST RAVINE DESIGN AND DEVELOPMENT STANDARDS.**
- C. **ADOPT RESOLUTION 06-121 APPROVING THE ORDINANCE SUMMARY AMENDING THE PUD FOR SUMMERHILL CROSSING.**
- D. **ADOPT RESOLUTION 06-122 AUTHORIZING SUBMITTAL OF A LIVABLE COMMUNITIES GRANT APPLICATION.**
- E. **NOT WAIVE THE MONETARY LIMITS ON TORT LIABILITY. CITIES OBTAINING LIABILITY COVERAGE FROM THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST MUST DECIDE ANNUALLY WHETHER OR NOT TO WAIVE THE STATUTORY TORT LIABILITY LIMITS TO THE EXTENT OF THE COVERAGE PURCHASED.**
- F. **AUTHORIZE STAFF TO SUBMIT A MN OSHA SAFETY HAZARD ABATEMENT GRANT.**
- G. **ADOPT RESOLUTION 06-123 ACCEPTING THE DONATION OF \$1,000.00 FROM CHERYL KOHLS TO THE PUBLIC SAFETY DEPARTMENT FIRE DIVISION, TO BE USED FOR TRAINING AND/OR EQUIPMENT PURCHASES.**

MOTION CARRIED 4-0.

RESPONSE TO PREVIOUSLY RAISED OPEN FORUM ISSUES

- A. Response to Council regarding speed issues on 85th Street.

Acting Mayor Rice said Heather Mohr had received the response and staff would look into the matter.

PUBLIC HEARINGS

None.

BID AWARDS

None.

UNFINISHED AND NEW BUSINESS

- A. Consider approving a zoning text amendment to limit the capacity of school dormitories to 75 residents per site and require a minimum 50-foot setback from lot

lines.

The Community Development Director presented his report regarding the zoning text amendment and conditional use permit for the Yeshiva School on the site of the previous Eagle Grove Baptist Church. He said the proposed ordinance amendment would limit the capacity of any school accessory dormitory to 75 residents per site and require a minimum 50-foot setback from lot lines. He added that a neighborhood meeting held in June was attended by two households and neither had a problem with the proposal.

Acting Mayor Rice then invited the applicant to address the Council.

Rabbi Hyum Friedman, 2265 Edgcumbe Road, St. Paul, explained that the Yeshiva School would educate high school students grades 9-11 on religious studies and general curriculum, 7:30 a.m. to 9:00 p.m., and would adhere to a strict code of conduct for their students, primarily from out of town, include a dress code, no cars, with high expectations for their students in being respectful and involved with community service projects.

Acting Mayor Rice inquired as to whether students would graduate from the school.

Rabbi Friedman responded that they would receive a regular high school diploma and hopefully also grow into respectable members of the Jewish community. He reported that at the Planning Commission meeting a question arose as to why a Yeshiva School would be placed here and that he'd responded that classic Yeshiva Schools can be very intense every day and may not be suitable for everyone, that some students may be interested in community work and sports. Rabbi Friedman added that the staff/student ratio was very favorable at 3:1 and there would be staff on site 24 hours a day with students.

MOTION BY BAILEY, SECONDED BY GROSSKLAUS, TO ADOPT ORDINANCE NO. 06-797 LIMITING THE CAPACITY OF SCHOOL DORMITORIES TO 75 RESIDENTS PER SITE AND REQUIRING A MINIMUM 50-FOOT SETBACK FROM LOT LINES.

MOTION CARRIED 4-0.

MOTION BY GROSSKLAUS, SECONDED BY BIGHAM, TO ADOPT RESOLUTION NO. 06-124 APPROVING THE CONDITIONAL USE PERMIT FOR A RELIGIOUS SCHOOL WITH DORMITORY WITH A MAXIMUM CAPACITY OF 50 RESIDENTS AT 8944 INDAHL AVENUE SOUTH.

MOTION CARRIED 4-0.

B. Consider applications for variances to requirements in the Mississippi River Corridor Critical Area Overlay District and a preliminary plat for Ideal Acres, which would create four parcels for single-family homes at 7980 113th Street.

The Community Development Director presented his report regarding the 8.22 acres. He stated that current requirements do not allow density to exceed four units per 40 acres and

that all lots be a minimum of three acres in size. As such, he said the Planning Commission had recommended that the Council deny the proposal for the reason that it doesn't meet the Mississippi River Critical Area requirements of lot size and density.

Acting Mayor Rice invited the applicant to address the Council.

Dick Braun, 2471 Angel Road, said he had alternatives, that possibly some internal roads could be placed so there aren't four different accesses out to Ideal Avenue, perhaps on the north and two of the middle lots.

Acting Mayor Rice inquired as to why the applicant was looking for four lots versus three.

Mr. Braun responded that it appeared to him, in looking at the Mississippi River Critical Area overlay district, that not all properties to the south and east have adhered to the complete ordinance. He said the lots are zoned R3 with a minimum of 1.5 acres per lot but because they're in the overlay district, with a restriction of one lot per ten acres. Mr. Braun said he believed that 1.93 acres per lot plus additional lots to the north of 2.46 acres would be adequate for the area and that he understood that future interior roads and City sewer and water would be included in future development 10-15 years ahead.

Acting Mayor Rice asked for staff and/or Council additional questions, and there were none.

MOTION BY BIGHAM, SECOND BY GROSSKLAUS, TO ADOPT **RESOLUTION NO. 06-125** DENYING THE VARIANCES AND PRELIMINARY PLAT FOR IDEAL ACRES.

MOTION CARRIED 4-0.

C. Item relocated to 2.A., Presentations

RESPONSE TO PREVIOUSLY RAISED COUNCIL COMMENTS AND REQUESTS

None.

COUNCIL COMMENTS AND REQUESTS

Council Member Bigham reported that August 1 is National Night Out at Kingston Park from 5 to 9 p.m., with food, fun activities, Cottage Grove Royalty, petting zoo, emergency and special vehicles, family-friendly DJ, helicopter, and prizes donated by Target. She encouraged everyone to come out and meet their neighbors.

PAY BILLS

MOTION BY BAILEY, SECONDED BY RICE, TO APPROVE PAYMENT OF CHECK NUMBERS 145878 TO 146079 IN THE AMOUNT OF \$1,650,239.54 (CHECKS 145878 TO 145908 IN THE AMOUNT OF \$331,428.90 ISSUED PRIOR TO COUNCIL APPROVAL).

MOTION CARRIED 4-0.

WORKSHOP SESSION – OPEN

None.

WORKSHOP SESSION – CLOSED

None.

ADJOURNMENT

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

MOTION CARRIED 4-0.

Respectfully submitted,

Mary Heintz
TimeSaver Off Site Secretarial, Inc.