

REGULAR MEETING COTTAGE GROVE CITY COUNCIL

April 4, 2007

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 Sandy Shiely encouraged persons to limit their remarks to two minutes per issue.

Present: Mayor Sandy Shiely
Council Member Myron Bailey
Council Member Mark Grossklaus
Council Member Fred Luden
Council Member Pat Rice

Also Present: Ryan Schroeder, City Administrator
John McCool, Senior Planner
Ron Hedberg, Finance Director
Jennifer Levitt, City Engineer
Sarah Sonsalla, City Attorney
Harry Taylor, Public Works Supervisor
Craig Woolery, Public Safety Director

Not Present: None.

Mayor Shiely opened the Open Forum at 7:15 p.m.

There being no speakers, Mayor Shiely closed the Open Forum at 7:15 p.m.

CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota, held a regular meeting on Wednesday, April 4, 2007, at the Cottage Grove City Hall, 7516 80th Street South. Mayor Shiely called the meeting to order at 7:30 p.m.

ROLL CALL

Present: Mayor Sandy Shiely
Council Member Myron Bailey
Council Member Mark Grossklaus
Council Member Fred Luden
Council Member Pat Rice

Also Present: Ryan Schroeder, City Administrator

Ron Hedberg, Finance Director
Jennifer Levitt, City Engineer
John McCool, Senior Planner
Sarah Sonsalla City Attorney
Harry Taylor, Public Works Supervisor
Craig Woolery, Public Safety Director

Not Present: None.

ADOPTION OF AGENDA

Mayor Shiely reported that an item had been added to the agenda concerning adoption of a joint resolution with the City of Woodbury supporting public health for local citizenry in regards to PFBA contamination.

MOTION BY RICE, SECONDED BY BAILEY, TO APPROVE THE AGENDA AS AMENDED.
MOTION CARRIED 5-0.

PRESENTATION

A. Eagle Scout Award

Mayor Shiely and Council Members presented Eagle Scout Jordan Mudek with a plaque recognizing his achievement, and he described his project for Sharing and Caring Hands.

APPROVAL OF MINUTES

None.

CONSENT CALENDAR

Council Member Bailey pulled Item B, regarding donations on behalf of the Public Safety, Fire and Recreation Departments for the 14th Annual Youth Safety Camp and acknowledged and thanked donors Anderson Corporation, Cogentrix LSP, Cottage Grove Estates Inc., Kraus-Anderson Construction Company, Marathon Petroleum Company LLC, Minnesota National Guard, Mississippi Dunes, and Rumpca Services Inc.

Council Member Luden pulled Item D, a conditional use permit allowing Sprint/Nextel to add communication antennas to the stem of the 3M water tower at 10746 Innovation Road, and stated he would need to abstain from the vote due to conflict of interest. Mayor Shiely said 3M makes profit on the antenna.

MOTION BY GROSSKLAUS, SECONDED BY BAILEY, TO ADOPT RESOLUTION NO. 07-060, A RESOLUTION APPROVING A CONDITIONAL USE PERMIT ALLOWING SPRINT/NEXTEL TO ADD COMMUNICATION ANTENNAS TO THE STEM OF THE 3M WATER TOWER AT 10746 INNOVATION ROAD. MOTION CARRIED 4-0-1 (LUDEN ABSTAINING).

MOTION BY RICE, SECONDED BY BAILEY, TO:

- A. ACCEPT AND PLACE ON FILE THE FOLLOWING MINUTES:
 - I. PLANNING COMMISSION MEETING MINUTES FROM FEBRUARY 26, 2007.
 - II. PUBLIC SAFETY, HEALTH AND WELFARE COMMISSION MEETING MINUTES FROM JANUARY 16, 2007, AND FEBRUARY 20, 2007.
 - III. PARKS, RECREATION AND NATURAL RESOURCES COMMISSION MEETING MINUTES FROM FEBRUARY 12, 2007.
- B. ADOPT RESOLUTION NO. 07-061, A RESOLUTION ACCEPTING DONATIONS TOTALING \$1,775.00 ON BEHALF OF THE PUBLIC SAFETY, FIRE AND RECREATION DEPARTMENTS FOR THE 14TH ANNUAL YOUTH SAFETY CAMP.
- C. RATIFY THE APPOINTMENT OF DAVID THIEDE AS CHAIR OF THE PLANNING COMMISSION.
- D. (PULLED FOR SEPARATE VOTE, ABOVE)
- E. ADOPT RESOLUTION NO. 07-062, A RESOLUTION ENTERING INTO A LIMITED USE PERMIT FOR THE PURPOSE OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF PEDESTRIAN TRAILS WITHIN THE RIGHT-OF-WAY OF TH 61 ALONG JAMAICA AVENUE.
- F. AUTHORIZE STAFF TO APPLY FOR A SHOOTING RANGE GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE PINE TREE POND ARCHERY RANGE.
- G. ADOPT RESOLUTION NO. 07-063, A RESOLUTION AMENDING THE CITY OF COTTAGE GROVE CAFETERIA PLAN FOR EMPLOYEES.
- H. ADOPT RESOLUTION NO. 07-064, A RESOLUTION ORDERING THE ABATEMENT FOR PROPERTY AT 7763 LAMAR AVENUE SOUTH.

MOTION CARRIED 5-0.

RESPONSE TO PREVIOUSLY RAISED OPEN FORUM ISSUES

None.

PUBLIC HEARING

None.

BID AWARDS

- A. Consider awarding the bid for the West Point Water Main Extension Project to Hydrocon, Inc. in the amount of \$135,794.00.

Mayor Shiely stated that the award was the lowest of 13 bids.

MOTION BY BAILEY, SECONDED BY MAYOR SHIELY, TO ADOPT RESOLUTION NO. 07-065, A RESOLUTION APPROVING THE BID FOR THE WEST POINT WATER MAIN EXTENSION PROJECT TO HYDROCON, INC. FOR \$135,794.00. MOTION CARRIED 5-0.

UNFINISHED AND NEW BUSINESS

- A. Consider adopting a joint resolution with the City of Woodbury supporting public health for local citizenry in regard to PFBA contamination.

Mayor Shiely, acknowledging public interest and read aloud a proposed joint resolution of the Cities of Cottage Grove and Woodbury supporting public health for local citizenry.

WHEREAS, cities within the east metro have been informed that the Minnesota Department of Health (MDH) has detected a foreign contaminant within well water in eastern Dakota and southern Washington Counties; and

WHEREAS, this foreign contaminant is within the PFC family of chemicals and is referred to as PFBA; and

WHEREAS, in 2004 the MDH found a similar PFC chemical in well water in the communities of Oakdale and Lake Elmo; and

WHEREAS, the MDH has identified the 3M Woodbury disposal site as a source of these chemical elements; and

WHEREAS, it has been determined by the MDH and the Minnesota Pollution Control Agency (MPCA) that PFBA, PFOA, and PFOS along with other elements within the PFC family have been deposited within this landfill site by 3M, the owner of the site; and

WHEREAS, it has been determined that PFC, primarily PFBA, with potential for other PFC elements have migrated from the landfill site; and

WHEREAS, the MPCA has begun to identify mitigation measures intended to stop migration from the site; and

WHEREAS, the Cities of Cottage Grove and Woodbury as concerned about the health and economic impacts of migration of PFC chemicals from the landfill site;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCILS OF THE CITIES OF COTTAGE GROVE AND WOODBURY THAT:

1. Validated an independent science should set the advisory health based value (HBV) or health risk levels (HRL) for PFBA.
2. HBVs and HRLs need to be determined quickly due to citizen concerns and potential for negative economic impacts of uncertainty.

3. The State of Minnesota must ensure that the MDH has any and all necessary resources made available to them to expediently provide the science and treatment solutions to affected cities and water consumers.
4. MPCA should ensure that landfill contaminant mitigation measures are put into place in the most expedient manner possible.
5. The State of Minnesota through its MDH and MPCA must ensure that 3M voluntarily works to complete all identified mitigation measures in order to remove any future potential for chemical migration from the landfill site.
6. That 3M, in cooperation with the MDH and the MPCA, must use all means at its disposal to ensure that all municipal wells within the Cities of Cottage Grove and Woodbury and neighboring communities have PFC contaminant levels below any and all advisory limits, health based values, and/or health risk levels as determined by the MDH and/or MPCA and/or federal EPA now and at any point in the future.

Council Member Luden stated that he would need to abstain from the vote due to conflict of interest.

MOTION BY BAILEY, SECONDED BY GROSSKLAUS, TO ADOPT RESOLUTION NO. 07-066, A JOINT RESOLUTION WITH THE CITY OF WOODBURY SUPPORTING PUBLIC HEALTH FOR LOCAL CITIZENRY IN REGARD TO PFBA CONTAMINATION. MOTION CARRIED 4-0-1 (LUDEN ABSTAINING)

RESPONSE TO PREVIOUSLY RAISED COUNCIL COMMENTS AND REQUESTS

A. Response to Council regarding information provided to new residents.

Council Member Bailey said he liked the idea of Public Works sending a letter directing people to the website, which would reduce the need for printing. The City Administrator added that those with no internet access could call City Hall to obtain information.

B. Response to Council regarding stop sign vandalism.

Mayor Shiely thanked the Director of Public Safety for the update regarding the stop sign vandalism.

COUNCIL COMMENTS AND REQUESTS

Council Member Bailey asked for clarification regarding the open hours for the upcoming compost site, as he had been informed that it would be closed on Sundays, and stated his preference that Sundays be open due to citizen need. The Public Works Supervisor responded that he would look into the schedule and report back to Council.

Council Member Bailey reported on the need for Strawberry Festival volunteers for the car show on June 16, parade setup and takedown on June 16, tickets for the Miss Cottage Grove Pageant on June 14, security or public works the early morning of Saturday or Sunday morning, festival booth information and sale items on Friday, Saturday and Sunday. He said anyone interested could call Cindy Bailey at 651-459-4734. He also directed those interested to the Cottage Grove website www.cottage-grove.org.

Council Member Bailey also reported that the Cottage Grove Bulletin would include information on a Strawberry Festival blog and there would be upcoming commercials for the event on Channels 16 and 18. He said the theme this year will be Country Western, with a band scheduled for Friday evening.

Mayor Shiely inquired about Arbor Day, and the Public Works Supervisor responded that it would be 10 a.m. to 1 p.m. on April 28 at Highland Park. He also reported that Hazardous Day is scheduled for May 5.

PAY BILLS

MOTION BY BAILEY, SECONDED BY RICE, TO APPROVE PAYMENT OF CHECK NUMBERS 149497 to 149678 FOR \$317,185.37. MOTION CARRIED 5-0.

WORKSHOP SESSION – OPEN

None.

WORKSHOP SESSION – CLOSED

None.

ADJOURNMENT

MOTION BY BAILEY, SECONDED BY RICE, TO ADJOURN THE MEETING AT 7:48 P.M.
MOTION CARRIED 5-0.

Respectfully submitted,

Mary Heintz
TimeSaver Off Site Secretarial, Inc.