

REGULAR MEETING COTTAGE GROVE CITY COUNCIL

May 2, 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.

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
Howard Blin, Community Development Director
Les Burshten, Public Works Director
Ron Hedberg, Finance Director
Jennifer Levitt, City Engineer
Corrine Thomson, City Attorney
Craig Woolery, Public Safety Director

Not Present: None.

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

Paul Wick, 7832 Isleton Avenue South, expressed concern about the Pine Tree Valley Park parking lot project cost and said he wished to encourage Council, having already approved the project, to find a way to use the park year round, i.e., cross-country ski trails, to have it constructed correctly, and make a commitment to the park. Mayor Shiely suggested that Mr. Dockter could help address some of Mr. Wick's concerns.

There being no additional speakers, Mayor Shiely closed the Open Forum at 7:19 p.m.

CALL TO ORDER

The City Council of the City of Cottage Grove, Washington County, Minnesota, held a regular meeting on Wednesday, May 2, 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
Howard Blin, Community Development Director
Les Burshten, Public Works Director
Ron Hedberg, Finance Director
Jennifer Levitt, City Engineer
Corrine Thomson, City Attorney
Craig Woolery, Public Safety Director

Not Present: None.

ADOPTION OF AGENDA

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

PRESENTATION

A. Ravine Park Master Plan

John Elholm, Senior Planner for the Washington County Parks Department, and Jeff Shoenbauer of Brauer Associates, consultant for the project, provided an update on the process and description of the Ravine Park Master Plan.

Mr. Schoenbauer stated that the plan update calls for the park to remain largely a natural area, with minimal development, and apart from trail improvements, new development would be focused around the lake at the south end of the park and include a new park entrance off Keats Avenue (CR 19), new facilities on the east side of the lake (new trailhead structure, renovation of existing picnic shelter, and parking improvements), and construction of a lodge-day camp area on top of the hill on the western side of the lake (accommodate a summer day camp and group activities).

Mayor Shiely commented that she was glad it is a passive park, not to be overdeveloped. She inquired how much the County has budgeted for the items proposed for the park.

Mr. Schoenbauer responded that the total development cost will be \$4 million, including the lodge, etc.

Council Member Grossklaus inquired about the timeline, how it may be impacted by inflationary costs. Mr. Elholm responded that it would depend upon funding, which sometimes does not

match up, and is a challenge to determine when associated project implementations will occur. Mr. Schoenbauer added that he anticipated five years for project completion.

Council Member Bailey asked if the \$4 million includes land acquisition, and Mr. Schoenbauer responded that it did not but an additional 30 acres was suggested to be included in the Master Plan. He said the sooner the land acquisition can be obtained, the better, and it is reasonable to develop trails because residents can use them right away and are relatively cost effective. Council Member Bailey then inquired as to when landowners would be notified about the possible off-leash dog park, and Mr. Schoenbauer responded that he had contacted landowners so they would be informed it was in the plan.

Mayor Shiely commented that Council has never discussed an off-leash dog park in Cottage Grove. She said there was a period of time when residents were interested in starting a group to locate such a dog park and is interested in County property, which would be the County's charge. Mayor Shiely said she did not want to give the impression that the City was looking for a place to site a park. Mr. Schoenbauer responded that there is a demand in the area for an off-leash dog park but the County had been adamant it was not ready to proceed with it, suggesting instead that the option be left open should Cottage Grove chose to build it in the future. Mayor Shiely said she hoped the horse trails were supported by the City of Lake Elmo, and Mr. Elmholm responded the combined use trails are maintained by the County.

Council Member Rice inquired about bike trails, and Mr. Schoenbauer responded they were not part of the plan.

Council Member Rice commented that he was disappointed the County had identified the City as being responsible to construct an off-leash dog park, as there was obvious resident need for one. He asked how much the purchase of Big Marine had been, and Mr. Elmholm responded he did not know. Council Member Rice said 85% of the residents of Washington County will not use an off-leash dog park but use for one, nonetheless, would be doubled. Mr. Schoenbauer clarified that the County would pursue acquisition of the land but not operation of an off-leash dog park. He said the Master Plan would allow whatever the City wants to do in the future but right now, the Parks Commission is not ready to run an off-leash area but does not want to preclude the City from doing so.

Mayor Shiely suggested that there were groups that could assist in running off-leash Dog Park and wondered if the Parks Commission had researched those groups. She then opened the floor for audience feedback.

Dick Swanson, 9134 79th Street South, referenced a group that was started two years ago which had viewed all Cottage Grove parks and found that they were over utilized. He described the group, as what Mayor Shiely had referenced earlier, and said the land is there for use and dog users would like the ability to take their dogs to a natural area.

Mayor Shiely thanked all of those who had spoken.

APPROVAL OF MINUTES

A. April 4, 2007, Regular Meeting

Mayor Shiely stated that the minutes stood approved as presented.

CONSENT CALENDAR

MOTION BY RICE, SECONDED BY BAILEY, TO:

- A. ACCEPT AND PLACE ON FILE THE FOLLOWING MINUTES:
 - I. PLANNING COMMISSION MEETING MINUTES FROM MARCH 26, 2007.
- B. ADOPT RESOLUTION NO. 07-077, A RESOLUTION DELARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF THE PROPOSED ASSESSMENT ROLL FOR THE REMOVAL OF PUBLIC SAFETY HAZARDS AT 8218 HYDE LAND SOUTH, AND RESOLUTION NO. 07-078, A RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENTS FOR THER EMOVAL OF PUBLIC SAFETY HAZARDS FROM PR IVATE PROPERTY AT 8218 HYDE AVENUE SOUTH.
- C. AUTHORIZE ISSUANCE OF A SINGLE-OCCASION GAMBLING PERMIT TO THE COTTAGE GROVE ROYALTY SCHOLARSHIP PROGRAM TO CONDUCT A RAFFLE AT KINGSTON PARK ON JUNE 17, 2007.
- D. AUTHORIZE THE ACQUISITION OF AN EASEMENT FOR THE WEST POINT DOUGLAS WATERMAIN PROJECT AND PAYMENT TO PPI-CG, LCC (HOYT PROPERTIES) FOR \$5,950.
- E. APPROVE SPECIFICATIONS FOR TOWING AND IMPOUNDING OF PASSENGER CARS, TRUCKS, CYCLES, AND SNOWMOBILES WITHIN THE CITY OF COTTAGE GROVE AND SET A BID DATE OF JUNE 5, 2007 AT 11:00 P.M.
- F. ACCEPT THE RECOMMENDATION OF COUNCIL MEMBER MARK GROSSKLAUS AND APPROVE THE APPOINTMENTS OF OBID HOFLAND AND BARTLEY "STEVEN" MESSICK TO THE PLANNING COMMISSION FOR A TERM TO EXPIRE FEBRUARY 28, 2010, AND APPROVE THE APPOINTMENT OF CHRIS WILLHITE TO THE COMMISSION FOR A TERM TO EXPIRE FEBRUARY 28, 2009.
- G. ADOPT RESOLUTION NO. 07-079, A RESOLUTION A UTHORIZING MINNESOTA STATE AID ROUTE DESIGNATION ADDITIONS AS FOLLOWS: INWOOD AVENUE (0.06 MI), INWOOD AVENUE (0.51 MI), 65TH STREET (CR TURNBACK 0.74 MI).
- H. PASS ORDINANCE NO. 815, AN ORDINANCE FOR THE CITY OF COTTAGE GROVE, MINNESOTA, AMENDING CHAPTER 10-4-3C, SCHEDULE OF PARK DEDICATION REQUIREMENTS OF THE COTTAGE GROVE CITY CODE RELATING TO I NCREASING THE PARK FEE IN LIEU OF LAND DEDITION FROM \$4,000 TO \$4,200 PER RESIDENTIAL UNIT.
- I. ADOPT RESOLUTION NO. 07-080, A RESOLUTION APPROVING AND EXECUTING MNDOT COOPERATIVE CONSTRUCTION AGREEMENT NO. 90879 FOR THE JAMAICA AVENUE ROUNDABOUT PROJECT.
- J. PASS ORDINANCE NO. 816, AN INTERIM ORDINANCE FOR THE PURPOSE OF PROTECTING THE PLANNING PROCESS AND THE WELFARE OF CITY RESIDENTS; ESTABLISHING A MORATORIUM ON THE INSTALLATION, ERECTION, CONSTRUCTION, REPLACEMENT OR IMPROVEMENT OF STATIC OR CHANGING ELECTRONIC, DIGITAL, VIDEO, DISPLAY SIGNS, BILLBOARDS, BILLBOARD NETWORKS, FLASHING, MOTION, ANIMATED, CHARGEABLE COPY AND ILLUMINATED SIGNS IN ALL ZONING DISTRICTS THROUGH DECEMBER 31, 2007.

- K. APPROVE APPOINTMENT OF ASHLEY THURBER TO A YOUTH SEAT ON THE PARKS, RECREATION AND NATURAL RESOURCES COMMISSION FOR A ONE-YEAR TERM TO EXPIRE MAY 7, 2008.
- L. AUTHROIZE ISSUANCE OF A SINGLE-OCCASION GAMBLING PERMIT TO SOUTH WASHINGTON COUNTY SCHOOLS COMMUNITY EDUCATION TO CONDUCT BINGO AT KINGSTON PARK ON JUNE 16 AND 17, 2007 DURING THE COTTAGE GROVE STRAWBERRY FEST.
- M. AUTHORIZE ISSURANCE OF A SINGLE-OCCASION GAMLBLING PERMIT TO SOUTH WASHINGTON COUNTY SCHOOLS COMMUNITY EDUCATION TO CONDUCT A RAFFLE AT THE DISTRICT PROGRAM CENTER, 8400 EAST POINT DOUGLAS ROAD, ON OCTOBER 19, 2007.
- N. AUTHROIZE ISSUANCE OF A SINGLE-OCCASION GAMBLING PERMIT TO THE ST. PAUL PARK/NEWPORT LIONS CLUB TO CONDUCT PULL TABS AT KINGSTON PARK ON JUNE 15, 2007, TO JUNE 17, 2007.
- O. AUTHORIZE ISSUANCE OF A TEMPORARY ON-SALE NON-INTOXICATING 3.2 MALT LIQUOR LICENSE TO THE ST. PAUL PARK/NEWPORT LIONS CLUB FOR KINGSTON PARK ON JUNE 15, 2007, TO JUNE 17, 2007, AND LAMAR PARK ON JUNE 16, 2007.
- P. ADOPT RESOLUTION NO. 07-081, A RESOLUTION ESTABLISHING A NEW BID DATE OF MAY 30, 2007, FOR THE JAMAICA AVENUE ROUNDABOUT PROJECT.

MOTION CARRIED 5-0.

RESPONSE TO PREVIOUSLY RAISED OPEN FORUM ISSUES

None.

PUBLIC HEARINGS

- A. Continue the Public Hearing to May 16, 2007, for the Right-of-Way Vacation for the South Point Ridge Development

MOTION BY RICE, SECONDED BY GROSSKLAUS, TO CONTINUE THE PUBLIC HEARING FOR THE RIGHT-OF-WAY VACATION FOR THE SOUTH POINT RIDGE DEVELOPMENT. TO THE MAY 16, 2007 MEETING. MOTION CARRIED 5-0.

BID AWARDS

- A. Consider Awarding the Contract for the 2007A Street Improvement Project to Valley Paving, Inc. for \$303,292.40.

The City Engineer reported that Valley Paving, Inc. was the lowest of seven bidders and recommended that the contract be awarded to that company for the 2007A Street Improvement Project.

Council Member Rice inquired about what the improvement consisted of and asked that in the future a map of intended improvements be provided for Council review. The City Engineer responded that the project was for ultimate street improvement and agreed that a map of intended improvements would be provided for the next year.

MOTION BY GROSSKLAUS, SECONDED BY LUDEN, TO ADOPT RESOLUTION NO. 07-082, A RESOLUTION AWARDED BID FOR THE 2007A STREET IMPROVEMENT PROJECT TO VALLEY PAVING, INC. FOR \$303,292.40. MOTION CARRIED 5-0.

UNFINISHED AND NEW BUSINESS

- A. 1) Consider accepting the Arena financial projections and construction timeline;
2) Consider approving the Ice Arena lease between School District 833 and the City of Cottage Grove; and 3) Consider approving the Recreation Use Agreement with School District 833.

The City Administrator described the lease agreement dated March 6, 1974, between the City of Cottage Grove and School District 833, which allowed for construction of the current Cottage Grove Ice Arena and, as part of the agreement, the District received preferential treatment on renting ice time for hockey. He noted that the lease is effectively perpetual and has renewal provisions but is automatically renewed every 25 years unless the City provides notice to the contrary. The City Administrator described operations since 1975, financial implications of a construction expansion, projected construction and schedule, and proposed agreements.

The City Attorney recommended that any motion to approve the lease agreements should be subject to completion of those items not filled in on the lease agreement, i.e., term of temporary easement, and that staff should have authority to complete such items.

MOTION BY BAILEY, SECONDED BY RICE, TO ACCEPT THE ICE ARENA FINANCIAL PROJECTIONS AND CONSTRUCTION TIMELINE.

Council Member Rice asked if the cost included everything that should be, and the City Administrator responded affirmatively.

Council Member Bailey inquired as to whether the timeline was reasonable, i.e., potential for hockey teams to be affected by any delays. The City Administrator responded that he believed it is reasonable, and the City Engineer reconfirmed this.

Mayor Shiely said there was a reference in the documentation that the District would not be required to make payments if ice loss occurred at the new facility and asked about insurance. The City Administrator responded that ice loss would be considered a business loss.

UPON VOTING BEING TAKEN, MOTION CARRIED 5-0.

MOTION BY MAYOR SHIELY, SECONDED BY RICE, TO APPROVE THE LEASE AGREEMENT BETWEEN THE CITY OF COTTAGE GROVE AND INDEPENDENT SCHOOL DISTRICT NO. 833, SUBJECT TO THE COMPLETION OF ALL MISSING ITEMS.

Council Member Grossklaus expressed thanks to the City Administrator, Finance Director, and School Board for their efforts in bringing the project to fruition.

UPON VOTE BEING TAKEN, MOTION CARRIED 5-0

MOTION BY LUDEN, SECONDED BY BAILEY, TO APPROVE THE RECREATION AGREEMENT BETWEEN THE CITY OF COTTAGE GROVE AND INDEPENDENT SCHOOL DISTRICT NO. 833, SUBJECT TO COMPLETION OF ALL MISSING ITEMS. MOTION CARRIED 5-0.

B. Consider authorizing staff to distribute the RFP for architectural services for the Ice Arena Expansion Project.

The City Engineer reported that Council on January 17, 2007, authorized staff to send out RFP's for Construction Management Services for the Ice Arena Expansion Project and three responses were received to the request from Bossardt Corp, RJM Construction, and Kraus-Anderson, all subsequently interviewed on February 14, 2007, by the Project Team. She stated that the next phase in the process is to hire an Architect for design services and cited the schedule: 1) proposals due May 22, 2007, for Architectural services, 2) interview firms the week of June 4, and 3) award Architectural services at the June 20, 2007, City Council Meeting.

MOTION BY RICE, SECONDED BY GROSSKLAUS, TO AUTHORIZE STAFF TO DISTRIBUTE THE REQUEST FOR PROPOSAL (RFP) FOR ARCHITECTURAL SERVICES FOR THE ICE ARENA EXPANSION PROJECT. MOTION CARRIED 5-0

Consider approving the Preliminary Development Plan for McHattie Farms subdivision

The Community Development Director reported that Council had continued action on the development plan to allow time for the developer to address Council comments expressed at the April 18, 2007, City Council Meeting and included lot layout, reduction in number of 76-foot lots, additional area for eyebrow open space on the north side of Ravine Parkway, better definition of Ravine Parkway open space design, design of Jamaica Avenue buffer strip, entrance features, and project phasing.

Blin stated that once the City provides feedback on the preliminary development plan, requests must be approved (before Chase by Homes can proceed) on a rezoning from AG-1 (Agricultural District) to R-2A (Residential Single-Family District) and PDO (Planned Development Overlay District), approval of a PDO final development plan, preliminary plat, and final plat. The Community Development Director provided background, comments from the Planning and Public Safety Commissions, and information regarding planning considerations (PDO analysis, conformance to the East Ravine Master Plan, property characteristics, zoning, density, lot sizes and home designs, access/transportation, public and private open space, utilities, and public information notices.

The Community Development Director thanked Mr. Pritchard for attending, and Mayor Shiely invited him to address Council.

Bill Pritchard, Homes by Chase, said he was in attendance to address any Council questions.

Council Member Bailey thanked Mr. Pritchard for going back to make the timely changes and said all of his items of concern had been addressed.

Mayor Shiely commented that she appreciated the time Homes by Chase had taken to address Council concerns and the changes show more individuality and are better.

Council Member Rice agreed and thanked Mr. Pritchard and said the plan is much improved, making each subsequent development better.

Council Member Grossklaus said he appreciated the update but Council had been shown Homes by Chase development plans for Liberty Lake in Stillwater, Cobblestone in Apple Valley, and Lake Elmo and that those amenities were not included in the Cottage Grove plans.

Mayor Shiely said she was disappointed that Council had received the first plan, as it had been presented, and it is looking for new builders and developers to offer a variety of plans and create a uniqueness to the area.

Council Member Luden thanked Mr. Pritchard and City staff for the updated plan and commented that it is a good base, a first step, and expressed hope for future plans.

The City Administrator commented that, though a few Council Members feel the plan does not quite meet their expectations, he does not want the public to interpret that disappointment in an inappropriate way. He said it is a \$78 million project that includes 196 housing units, the average market value for the single-family housing product will be in the \$420,000 range, and there are aspects of the development that likely will be considered very creative by other communities.

MOTION BY RICE, SECONDED BY BAILEY, TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN FOR THE MCHATTIE FARMS SUBDIVISION. MOTION CARRIED. 4-1 (GROSSKLAUS VOTING NAY)

RESPONSE TO PREVIOUSLY RAISED COUNCIL COMMENTS AND REQUESTS

None.

COUNCIL COMMENTS AND REQUESTS

Council Member Bailey reported that the Strawberry Festival plans are underway and volunteer opportunities are available for Friday evening and Sunday. He said those interested can go to cottage.grove.org, click on Strawberry Festival, and/or give Mrs. Bailey a call at 651-459-4734.

Council Member Grossklaus reported that spring cleanup will be Saturday at Public Works from 7:00 a.m. to 4:30 p.m. and is a huge service provided to the community.

Mayor Shiely congratulated Brian Voelker of Public Works for his work regarding Arbor Day.

PAY BILLS

MOTION BY GROSSKLAUS, SECONDED BY BAILEY, TO APPROVE PAYMENT OF CHECK NUMBERS 149877 TO 150034 FOR \$487,969.60. MOTION CARRIED 5-0.

WORKSHOP SESSION – OPEN

None.

WORKSHOP SESSION – CLOSED

None.

ADJOURNMENT

MOTION BY BAILEY, SECONDED BY GROSSKLAUS, TO ADJOURN THE MEETING AT 8:41 P.M. MOTION CARRIED 5-0.

Respectfully submitted,

Mary Heintz
TimeSaver Off Site Secretarial, Inc.