



**Regular Meeting of the Planning Commission**

Tuesday, February 14, 2017

7 pm Regular Meeting

1307 Cloquet Ave, Cloquet, MN 55720

**OATH OF OFFICE – Nathaniel Wilkinson and Terri Lyytinen**

**AGENDA**

1. **Call to Order**
2. **Roll Call**
3. **Additions/Changes to the Agenda**
4. **Minutes from the January 10, 2017 Planning Commission meeting**  

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5. **Zoning Case 17-01: Otter Creek Properties, LLC., Subdivision Code Variance**  

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6. **Zoning Ordinance Amendments – Breweries, Taprooms, Brew Pubs, Micro Distilleries - Discussion**
7. **Meeting Etiquette – Discussion**
8. **Commissioner’s Questions/Comments**
9. **Adjourn**

**NEXT MEETING:**

**March 14<sup>th</sup> @ 7 pm**



**Regular Meeting of the Planning Commission**

Tuesday, January 10, 2017

7:00 p.m.

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**CALL TO ORDER**

Acting Chairperson Wilkinson called the meeting to order at 7:00 p.m.

**ROLL CALL**

**Attending:** Planning Commission members: Jesse Berglund (arrived 7:24), John Sanders, Bryan Bosto, Kelly Johnson and Uriah Wilkinson; City: Al Cottingham and Holly Hansen.

**Absent:** Commission members: None.

**Others Present:** Karla Southworth, Arnela Southworth, Dick and Nancy Stevens, Barb Wyman, Steve Sather, John Badger, Clarence Badger, Kyle Backstrom, David Wiggins, Geoff Strack and Fred Doran.

**ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**

Acting Chairperson Wilkinson requested nominations for a Chairperson, Uriah Wilkinson was nominated. There were no other nominations, Vote 4 – 0.

Chairperson Wilkinson requested nominations for a Vice Chairperson, Jesse Berglund was nominated. There were no other nominations, Vote 3 – 0 Commissioner Sanders voted present.

**ADDITIONS/CHANGES TO THE AGENDA**

None.

**AGENDA ITEMS**

**December 13, 2016 Meeting Minutes**

Chairperson Wilkinson asked for any corrections or additions.

**Motion:** Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from December 13, 2016, Commissioner Bosto seconded. (Motion was approved 4-0).

**Zoning Case 16-20: Conditional Use Permit Amendment for SKB Environmental Cloquet Landfill, Inc.**

Chairperson Wilkinson reminded the audience that this was not a public hearing since the public hearing was held on December 13, 2016 and closed at that meeting. There would be discussion between the Commission, staff and the developer for Zoning Case 16-20, Conditional Use Permit Amendment for SKB Environmental/Cloquet Landfill, Inc. He asked Mr. Cottingham to



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provide an overview of the topic. Mr. Cottingham noted SKB is proposing to amend their hours of operation to be open from 7:00 am to 7:00 pm seven days a week. They are also proposing to remove the 20% cap of the total volume of paper sludge waste and to allow the acceptance of this material on a 24 hour basis. The heavy equipment on site would not be used after 7:00 pm or on Sundays to help with possible noise issues. He referenced that there were representatives from SKB present along with Fred Doran, Burns and McDonnell the cities landfill consultant. He noted this was tabled at the last meeting with direction for more information on the methane gas and the MPCA review. He stated Mr. Doran had a presentation that he would go through and then open things up to questions.

Mr. Doran went through a power point presentation addressing concerns and questions that were raised at the previous meeting. He noted that the MPCA had not reviewed the application, they had no regulation limiting paper sludge acceptance rates. He noted that SKB was looking to install gas vents with the increase in paper sludge acceptance. He noted he is aware of two other paper sludge landfills that have passive gas vents like they SKB is proposing; Potlatch in Brainerd and SAPPI in Cloquet. He had a graph showing the landfill gas production comparison between an MSW landfill and an Industrial Landfill. He noted that the gas production for an industrial landfill is significantly less than an MSW landfill. He reviewed the testing procedure that was done on the paper sludge prior to disposal. He noted that SKB had brought in samples of the paper sludge so the Commission could see what the product was.

Chairman Wilkinson open discussion between the Commission, staff Mr. Doran and representatives of SKB.

Commissioner Sanders inquired as the gas migrating out of the landfill and off site.

Mr. Doran noted with the cells lined the migration of the gas would be to the surface and not out through the sides or the bottom.

Commissioner Sanders inquired as to the odors hanging down around the site and neighborhood rather than dissipating into the air.

Mr. Doran noted this doesn't happen very often and when it does is usually in the winter months. Typically you would notice the odors from an MSW landfill and not an industrial landfill because the higher generation of gas.

Commissioner Sanders inquired as to who monitors and reviews the reports that are generated.

Mr. Doran noted at the MPCA does but the City can also request copies of the reports so they can be checking on the gas levels also.

Commissioner Sanders was concerned with the future use of the property as playing fields with gas vents sticking out or with a collection system and the flameout area.



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Mr. Doran noted that the vents are usually placed around the site taking the future use into consideration so as to not interfere with the possible uses.

Commissioner Sanders inquired if Mr. Doran was aware of any explosions from the gas like the one in 1994 that killed a person and injured a number of others at a soccer game.

Mr. Doran noted he was aware of some of these occurring at an MSW landfill but not at an Industrial landfill since the amount of gas is substantially less than at an MSW.

Commissioner Sanders inquired as the flammability of the product as it exist.

Mr. Doran stated it was not flammable as it exists.

Commissioner Sanders inquired as to how many employees are at the landfill not including the trucking operation.

Mr. Backstrom stated they have four employees.

Commissioner Sanders inquired how the dumping of loads was not considered heavy equipment.

Mr. Backstrom noted that the noise studies that were done did not pick up any noise from the dumping of materials.

Commissioner Sanders read a prepared statement with his concerns with approving the request and how the propose changes did not meet the approval criteria for a conditional use.

Chairman Wilkinson inquired if there were any other questions from the Commission. There being no further questions he looked for a motion.

**Motion: Commissioner Sanders made a motion to deny Resolution No. 16-20 Hours A Resolution Recommending Approval of a Conditional Use Permit Amendment to Allow the Expanded Hours of Operation for Shamrock Landfill, Motion died for lack of a second.**

**Motion: Commissioner Berglund made a motion to approve Resolution No. 16-20 Hours A Resolution Recommending Approval of a Conditional Use Permit Amendment to Allow the Expanded Hours of Operation for Shamrock Landfill, Commissioner Wilkinson seconded. (Motion was approved 4 – 1 Sanders)**

Commissioner Berglund noted that he was satisfied by the noise studies and that the noise did not impact the neighborhood and the City had received no complaints from the neighbors.



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**Motion:** Commissioner Sanders made a motion to deny Resolution No. 16-20 Paper Sludge A Resolution Recommending Approval of a Conditional Use Permit Amendment to Remove the Limits of Allowed Paper Sludge Waste for Shamrock Landfill, Commissioner Johnson seconded. (Motion failed 2–3, Bosto, Berglund and Wilkinson).

**Motion:** Commissioner Berglund made a motion to approve Resolution No. 16-20 Paper Sludge A Resolution Recommending Approval of a Conditional Use Permit Amendment to Remove the Limits of Allowed Paper Sludge Waste for Shamrock Landfill adding a third condition limiting the amount of paper sludge waste to 40 % of the volume, Commissioner Bosto seconded. (Motion was approved 3–2, Sanders and Johnson).

Commissioner Berglund believed the increase wasn't significant and that there will be a monitoring system installed that doesn't exist today.

Cottingham noted that these items would be forwarded to the City Council for their meeting on Tuesday, January 17<sup>th</sup>.

**Property Owner Notification Distance**

Mr. Cottingham stated that following the last meeting Councilmember Rock had inquired about the notification distance and the lack of notification sent to property owners who were concerned about the landfill application. He noted that the state statute requires notification to property owners within 350 feet for conditional use permit request and the City sent notices to property owners within 1,320 feet. He noted one city that he had worked in placed a sign on the property referencing the proposal. He noted that wouldn't work in this case since the property is not visible from a road. He said regardless of what distance you used someone would not be happy. He suggested looking at each case and deciding on a distance at that time.

The Commission discussed this and felt that the distance should be discussed with the Chairman so it was not just a staff decision.

**Ed's Bakery – Design Standards**

Mr. Cottingham noted that the EDA was looking at expending funds to help eliminate the slum and blight condition of the Ed's Bakery building at 1013 Cloquet Avenue. The proposal that they received was to place metal on the east side of the building. He noted the design standards required the front and portion of the building that was visible from Cloquet Avenue needed to be of a masonry material. The EDA was wondering about the possibility for support for a variance or an Ordinance amendment to the design standards.



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The Commission discusses this and felt there was not anything special about this property to support a variance and if the design standards were amended it would open up a number of parcels that would not have to install masonry. They did not feel this was fair to businesses that followed the standards. They were not in favor of either option and the remodel should work within the dollars being given.

**Commissioner's Questions/Comment**

None.

**Next Meeting**

February 14, 2017

Meeting adjourned 8:30 p.m.

Respectfully submitted,

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Al Cottingham, City Planner/Zoning Administrator



**Community Development Department**

1307 Cloquet Avenue • Cloquet MN 55720  
Phone: 218-879-2507 • Fax: 218-879-6555

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To: Planning Commission  
From: Al Cottingham, City Planner/Zoning Administrator  
Date: February 8, 2017

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**ITEM DESCRIPTION: ZONING CASE 17-01: VARIANCE – SECOND PUBLIC ROAD**

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**Background**

Otter Creek Properties, LLC, Don Proulx and Steve Johnson are proposing a variance to the subdivision code requiring two access points for a subdivision due to unique circumstances. The property is located north of Moorhead Road and Otter Creek Drive. The Preliminary Plat was approved on March 2, 2004 and the Final Plat was approved on May 18, 2004.

Resolution No. 04-17 approved the preliminary plat subject to six conditions. One of the conditions of approval of the preliminary plat was “all roads will remain private until such time as the second access road is developed.” The preliminary plat for the entire development showed a second access to Moorhead Road approximately 1,500 feet east of the current access. This second access would be through a fairly large wetland area as estimated on the preliminary plat drawing (attached).

Resolution No. 04-37 approved the final plat subject to four conditions. None of these conditions referenced the road issue. There are “Covenants and Restrictions” for the development that were filed by the developer. One of the covenants reads as follows; “The maintenance of and snow removal on all roadways in the subdivision will be the responsibility of Otter Creek Properties; until at least 5 residents have been established within the Otter Creek Plat, or the roads are turned over to the City of Cloquet. At the time 5 residents have been established in Otter Creek, the cost of road maintenance, such as snowplowing and grading will be shared equally among the residence of Otter Creek.”

A public hearing will be held on Tuesday, February 14, 2017 to consider a variance from the subdivision code requiring two access points for a subdivision, which is allowed if there are unique circumstances. A legal notice was published in the Pine Journal on February 2, 2017 and property owners within the subdivision and within 350 feet were sent notices of the public hearing.

**Policy Objectives**

The Subdivision Code states the City Council may grant a variance from these regulations following a finding that **all** of the following conditions exist:





## Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720  
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1. There are special circumstances or conditions affecting said property which were not created by the landowner;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner; and
3. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

In making this finding the City Council shall consider the nature of the proposed use of land and the existing use of land in the vicinity, number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. In granting a variance as herein provided the City Council shall prescribe only conditions that it deems desirable or necessary to the public interest.

The applicant has addressed the criteria in the attached narrative. They also reference other subdivisions that exist without a second access. Many of their examples are of developments that were part of Knife Falls Township and not approved by the City. Two of the examples were approved by the City, one being the Carson Michael Addition, West Taylor Avenue extending west from South Oak Street. This particular development does have the road right of way extending through the plat allowing a road to be constructed to the other West Taylor Avenue extending east from Pinewood Drive however the City did not require the link to be constructed. The second one is Valley View Estates 2<sup>nd</sup> Addition. In appearance this looks very similar to the Otter Creek Plat with a long road coming in to a loop road. When the land was platted Greg Road existed from the Knife Falls Township days and Valley View 2<sup>nd</sup> Addition has two access points out to Greg Road therefore meeting the city requirements of two access points.

The City Attorney has reviewed this matter and it is his opinion that even though the condition for the second access was addressed with the Preliminary Plat it was not carried forward with the Final Plat, which was approved without that condition, thence the roads and their maintenance is an obligation which should be taken over by the City without a second access being constructed.

### **Financial Impacts**

The Variance fee is \$350. The applicant has paid this fee to cover the cost associated with the application process.

### **Advisory Committee Action Requested**

The Planning Commission should listen to the testimony that is presented at the public hearing for the variance. Following this testimony the Planning Commission should review the variance criteria and either recommend approval or denial of the variance as submitted. The Planning Commission may recommend conditions in the granting of variances; those conditions must be directly related to and must bear a rough proportionality to the impact created by the variance.





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### **Staff Recommendation**

Staff has reviewed the variance requirements and would recommend approval of the variance subject to the conditions in the draft resolution. An easement should be deeded to the City in order to create the entire right of way for the roads in the northerly portion of the site. The roads will not be taken over by the city until the road right of way has been cleared to the Public Works Directors satisfaction.

### **Supporting Documents Attachments**

- Resolution No. 17-01
- Location Map
- Petitioners Narrative
- Resolution No. 04-17 Approving Preliminary Plat
- Resolution No. 04-37 Approving Final Plat
- Preliminary Plat Drawing
- Carson Michael Plat
- Valley View 2<sup>nd</sup> Addition Plat

**STATE OF MINNESOTA**

**COUNTY OF CARLTON**

**CITY OF CLOQUET**

Commissioner \_\_\_\_\_ offered the following Resolution and moved its adoption.

**RESOLUTION NO. 17-01**

**A RESOLUTION RECOMMENDING APPROVAL OF A VARIANCE TO THE  
SUBDIVISION CODE REQUIRING TWO ACCESS POINTS FOR A SUBDIVISION IN  
THE SR – SUBURBAN RESIDENTIAL DISTRICT FOR OTTER CREEK PROPERTIES  
LLC**

**WHEREAS**, Otter Creek Properties LLC is proposing a Variance to the Subdivision Code requiring two access points for a subdivision in the SR – Suburban Residential District; and

**WHEREAS**, As required by ordinance, notification was advertised in the Pine Journal and property owners within the Otter Creek subdivision and within 350 feet have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on February 14, 2017 at which time Zoning Case / Development Review No. 17-01 was heard and discussed; and

**WHEREAS**, the property of the proposed Variance is located north of Moorhead Road and Otter Creek Drive and is legally described as follows:

All of Otter Creek Subdivision, Carlton County, Minnesota. And,

**WHEREAS**, the Planning Commission reviewed the staff report and recommends approval of the Variance to allow the subdivision to have only one access to a public road versus the Ordinance required two.

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA**, that the Planning Commission recommends approval of Zoning Case 17-01 for a Variance to the Subdivision Code requiring two access points subject to the following conditions:

1. An easement should be deeded to the City in order to create the entire 66 feet of right of way adjacent to Otter Creek Drive and Cedar Valley Drive in the northerly portion of the plat.
2. The roads will not be taken over by the city until the road right of way has been cleared to the Public Works Directors satisfaction which would happen after the snow melt in the spring.

The foregoing motion was duly seconded by Commissioner \_\_\_\_\_ and being put to vote members voted: AYE: \_\_\_\_ NAY: \_\_\_\_ ABSENT: \_\_\_\_

JESSE BERGLUND	_____	BRYAN BOSTO	_____
KELLY JOHNSON	_____	TERRI LYYTINEN	_____
JOHN SANDERS	_____	NATHANIEL WILKINSON	_____
URIAH WILKINSON	_____		

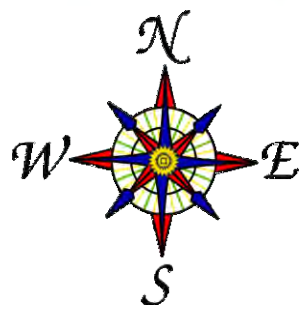
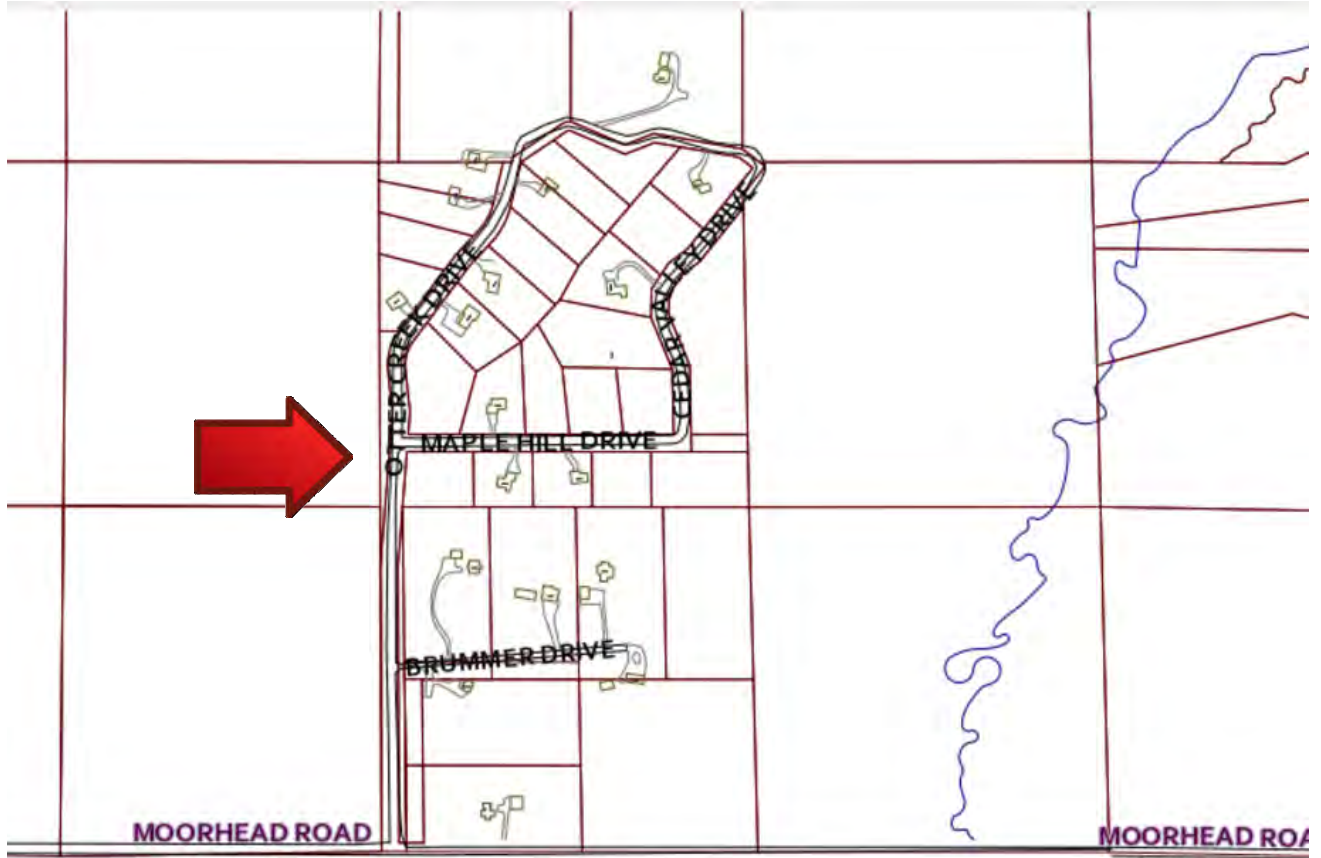
Passed and adopted this 14<sup>th</sup> day of February 2017.

CITY OF CLOQUET

\_\_\_\_\_  
 URIAH WILKINSON  
 CHAIR

ATTEST: \_\_\_\_\_  
 Alan Cottingham  
 City Planner/Zoning Administrator

**Location Map**  
**Otter Creek**



**No Scale**

City of Cloquet  
Community Development Dept.  
Subdivision Code Variance Application  
Otter Creek Properties Inc

The following letter is part of the variance application dated \_\_\_\_\_ outlining the conditions that exist on the Otter Creek Plat, (phase one) resulting in an extraordinary hardship and practical difficulties to Otter Creek Properties, Inc.

There is no requirement for a second entrance in the Otter Creek Final Plat, which was approved, signed and recorded. The preliminary plat called for a second entrance/exit from the development prior to the City accepting the roads as intended. Otter Creek Properties, Inc. is requesting a legal determination and/or variance amending the preliminary plat to allow the roads in the first addition (phase one) to be accepted by the City of Cloquet without a second entrance/exit being constructed.

In order to approve a variance, the Commission must consider and find evidence that:

- 1) **The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.**

*This variance is necessary to allow the petitioner and all residents of Otter Creek to enjoy their rights as property owners. The use of land in the Otter Creek Plat will be completely consistent with its current and intended use. The assumption of road maintenance by the City would enhance its usability, have a positive impact on public safety, relieve the financial burden of its residents and finalize this project by accepting the roads that were constructed to City specifications as planned.*

- 2) **There are special circumstances or conditions affecting said property which were not created by the landowner.**

*Unique to this property is the extensive wetland that exists, between the plat and Moorhead road that was not created by the landowner. These wetlands are located where the only viable route for a second entrance/exit could go. The impact of wetlands would likely not be allowed by the Army Corp of Engineers and the extremely high costs associated with building this extra road, cause an extraordinary hardship.*

- 3) **The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.**

*The granting of this variance will enhance public safety and likely prevent injury by ensuring that roads be maintained by professional city workers, using professional grade equipment.*

The requirement for a second entrance/exit in the preliminary plat of Otter Creek Phase One was, in the applicants' opinion, included without the City Planners, Planning Commission, City Council or the applicants anticipating the extensive wetland impact and enormous cost that would result from its construction. It is important to also note that, before and after the Otter Creek Plat was approved, other developments in the City have been approved and built that do not meet the requirement of a second entrance/exit. Multiple examples of these platted developments in the city establish a strong precedent for this variance to be approved.

CITY OF CLOQUET  
COUNTY OF CARLTON  
STATE OF MINNESOTA

RESOLUTION NO. 04-17

APPROVING PRELIMINARY PLAT

**WHEREAS**, An application has been submitted by Stephen C. Johnson, 701 Park Avenue, Cloquet, and Donald Proulx, 8226 Highway 8, Culver, for rezoning and Preliminary Subdivision Plat approval for approximately 200 acres of land currently zoned F-R, Farm Residential; and

**WHEREAS**, The application, if approved, will rezone said land to R-1, Single Family Residential, and authorize Phase I of a Preliminary Plat of approximately 40 acres subdividing said land into 26 lots for single family residential development; and

**WHEREAS**, The property in question is described as the E ½ of the SE ¼, the NW ¼ of the SE ¼, and the S ½ of the NE ¼, all in Section 34, T49N, R17W, City of Cloquet, and is located to the north of Moorhead Road and to the west of Otter Creek; and

**WHEREAS**, A public hearing was held to consider the request at a regular meeting of the Cloquet Planning Commission on February 24, 2004 at which time the City Planner presented an Addendum to Development Review No. 03-23, and other information was received as recorded in the minutes of said meeting; and

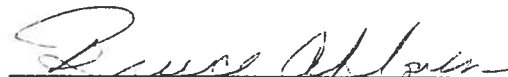
**WHEREAS**, The Planning Commission found that the proposed rezoning and subdivision plat will conform to the goals and policies of the Comprehensive Land Use Plan, that the proposal will help meet the continuing housing needs of the community, and that the proposal will have little or no impact to neighboring property owners; and

**WHEREAS**, The Commission has recommended approval of the rezoning and Preliminary Subdivision Plat subject to conditions.

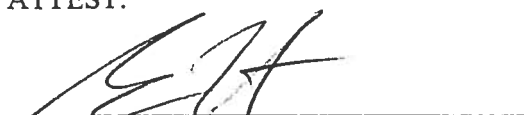
**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET**, That it approves the Preliminary Plat for Phase I, described as the NW 1/4 of the SE1/4, Section 34, T49N, R17W, subject to the following conditions:

- a) all roads will remain private until such time as the second access road is developed;
- b) all roads will be constructed in accordance with City Engineer's specifications;
- c) comments regarding technical deficiencies as noted in the development review will be incorporated into the Final Plat;
- d) all lots will be designed to support two on-site sewer systems in accordance with State law;
- e) recreational land dedication in accordance with Section 5.10 of the Subdivision Regulations shall be negotiated with the City prior to Final Plat approval; and
- f) a complete drainage plan in accordance with MPCA and NPDES requirements shall be incorporated into the plat.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET  
THIS 2ND DAY OF MARCH, 2004.**

  
Bruce Ahlgren, Mayor

ATTEST:

  
Brian Fritsinger, City Administrator

**CITY OF CLOQUET  
COUNTY OF CARLTON  
STATE OF MINNESOTA**

**RESOLUTION NO. 04-37**

**RESOLUTION APPROVING  
OTTER CREEK SUBDIVISION (PHASE I) FINAL PLAT**

**WHEREAS**, The Final Plat of Otter Creek Subdivision (Phase I) has been submitted by Don Proulx and Stephen Johnson; and

**WHEREAS**, The Preliminary Plat for this subdivision was approved on March 2, 2004 (Case No. 03-23); and

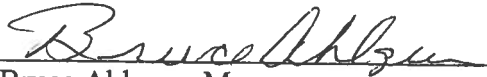
**WHEREAS**, The plat was reviewed by the Planning Commission at its regular meeting on May 11, 2004, at which time discussion was held and questions were answered as recorded in the minutes of said meeting; and

**WHEREAS**, The Planning Commission found that the Final Plat is consistent with the Preliminary Plat, provided certain issues are fully resolved prior to recording the plat;


**WHEREAS**, The Planning Commission recommended approval of the Final Plat of Otter Creek Subdivision (Phase I), subject to conditions:

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA**, That it approves the Final Plat of Otter Creek Subdivision (Phase I), subject to the following conditions: 1) final covenants for the plat shall be provided by the applicants and reviewed and accepted by the City as being consistent and not in conflict with City regulations; 2) Lot 5, Block 1, Lot 1, Block 2 and Lot 12, Block 3 shall be identified either on the plat or in the covenants or both as requiring design for an "other" on-site sewer system in accordance with State rules before a Building Permit can be issued; 3) recreational land dedication shall consist of Outlot B plus cash-in-lieu to total 10% of the acreage of the plat, with payment terms to be negotiated with the City Council; and 4) any comments by the City Engineer regarding road specifications and utility easements shall be incorporated into the Final Plat before recording.

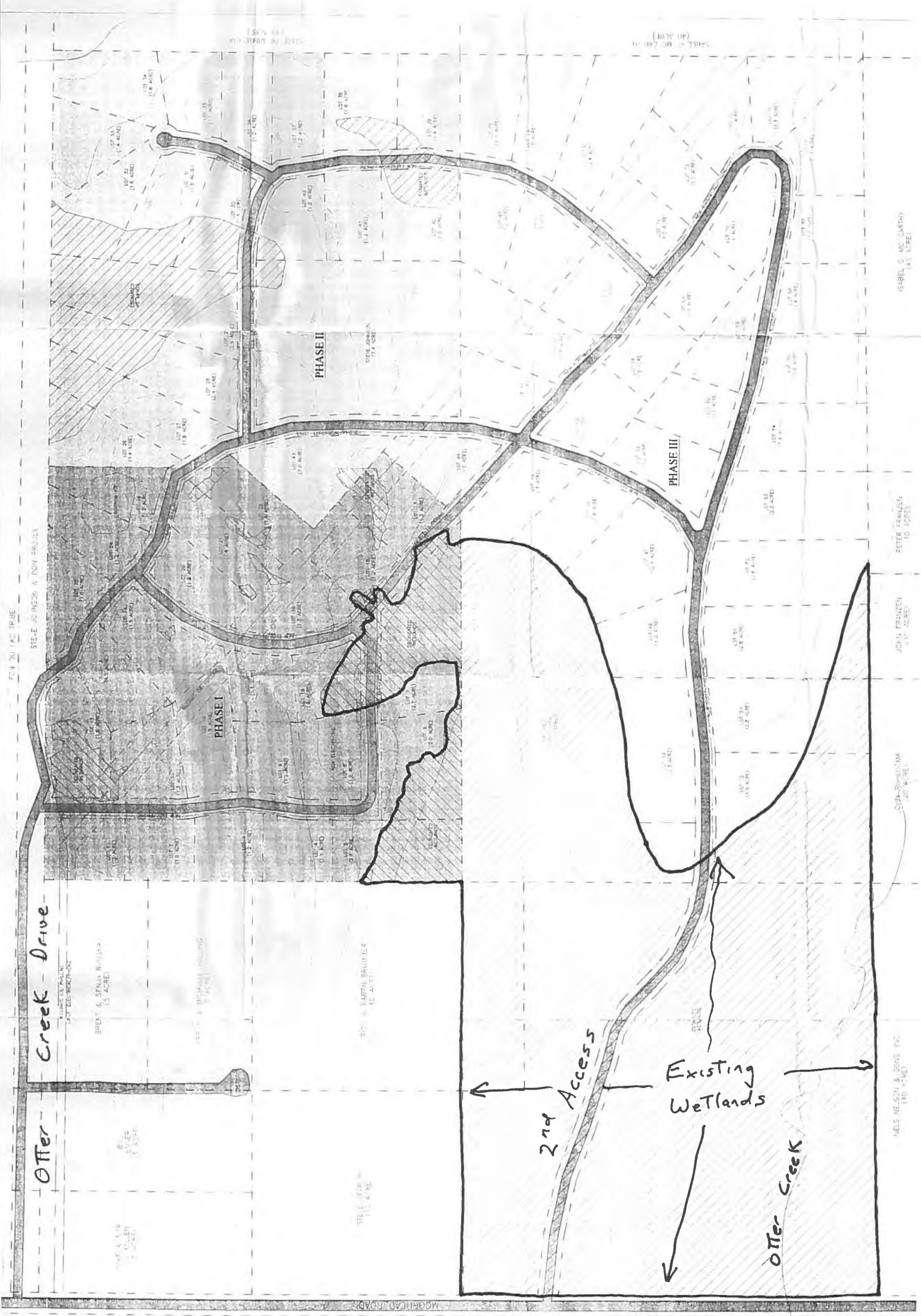
**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET  
THIS 18TH DAY OF MAY, 2004.**

  
Bruce Ahlgren, Mayor

ATTEST:

  
\_\_\_\_\_  
Brian Fritsinger, City Administrator





Moorhead Road

Preliminary Plat Otter Creek

  
 No Scale

Otter Creek Subdivision  
 Area of 200 Acres, consisting of the  
 Lots 1-2 of Section 24, Township 45, Range 17  
 Turrentine County, Nebraska, Containing  
 Precinct 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150 Acres  
 Phase I Proposed Area: 40 Acres  
 Phase II Proposed Area: 40 Acres  
 Phase III Proposed Area: 120 Acres

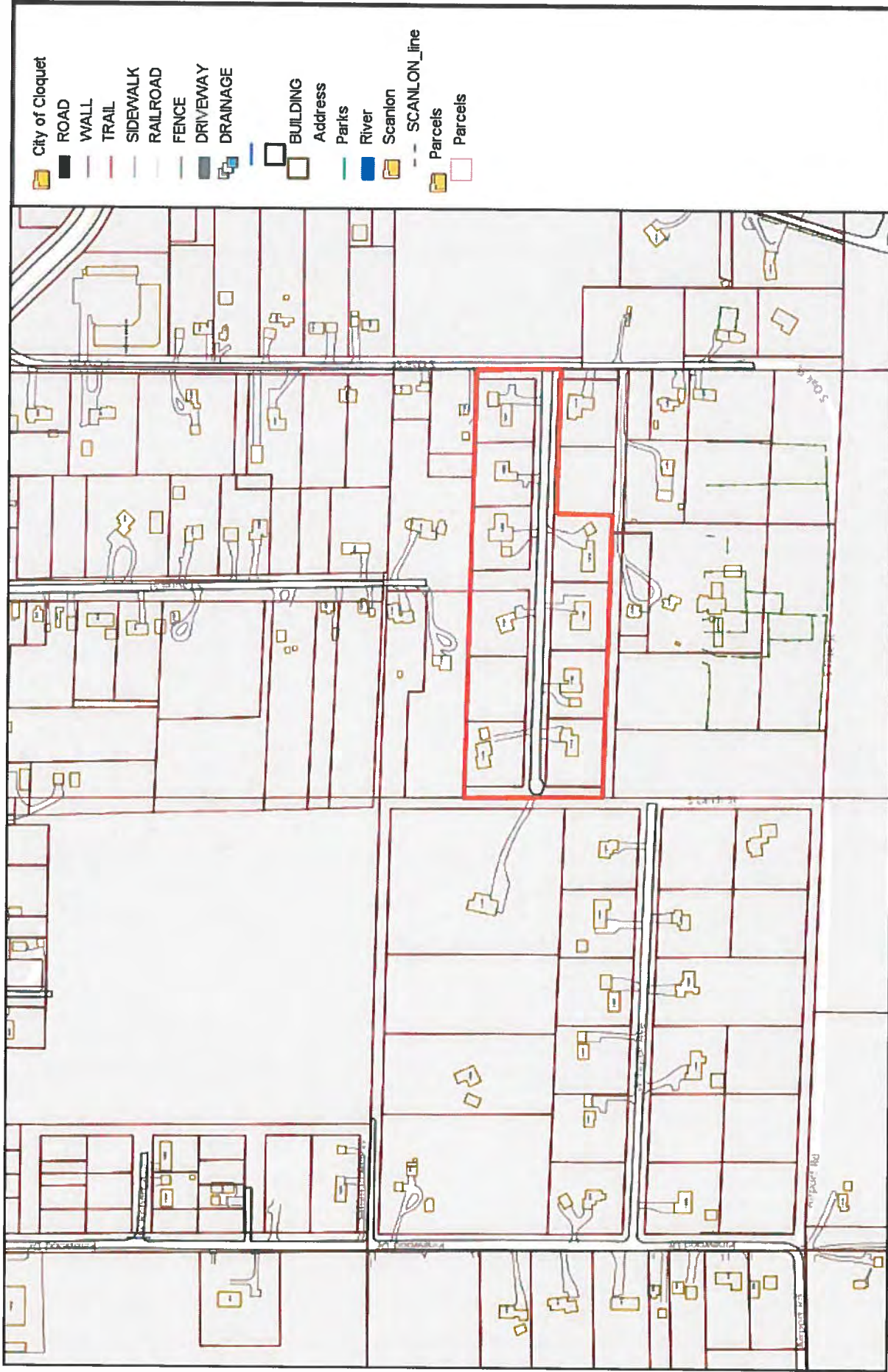
General of Development:  
 Steve & Nicole Johnson  
 Council: JN  
 Civil & ASCE Engineer:  
 Tucker, MN

Records of Development:  
 Records of Original Properties:  
 Records of Development:  
 City of Cheyenne, WY  
 From Tract # 22  
 Side Yard = 10'  
 Rear Yard = 30'  
 Maps 1 of 2

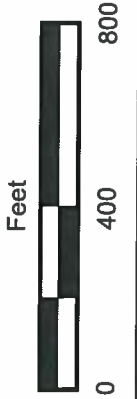
West's Information:  
 Scale: 1" = 100'-0"  
 Date: 02/02/04  
 By: D. Probst, S. Johnson  
 Sheets: 1 of 2

NELS NELSON & SONS, INC.  
 (140 ACRES)  
 GUY R. SCHULTZ  
 (20 ACRES)  
 JOHN FRANKLIN  
 (10 ACRES)  
 PETER FRANZ  
 (10 ACRES)  
 ISABEL G. MC CARTHY  
 (40 ACRES)

# Carson Michael Addition

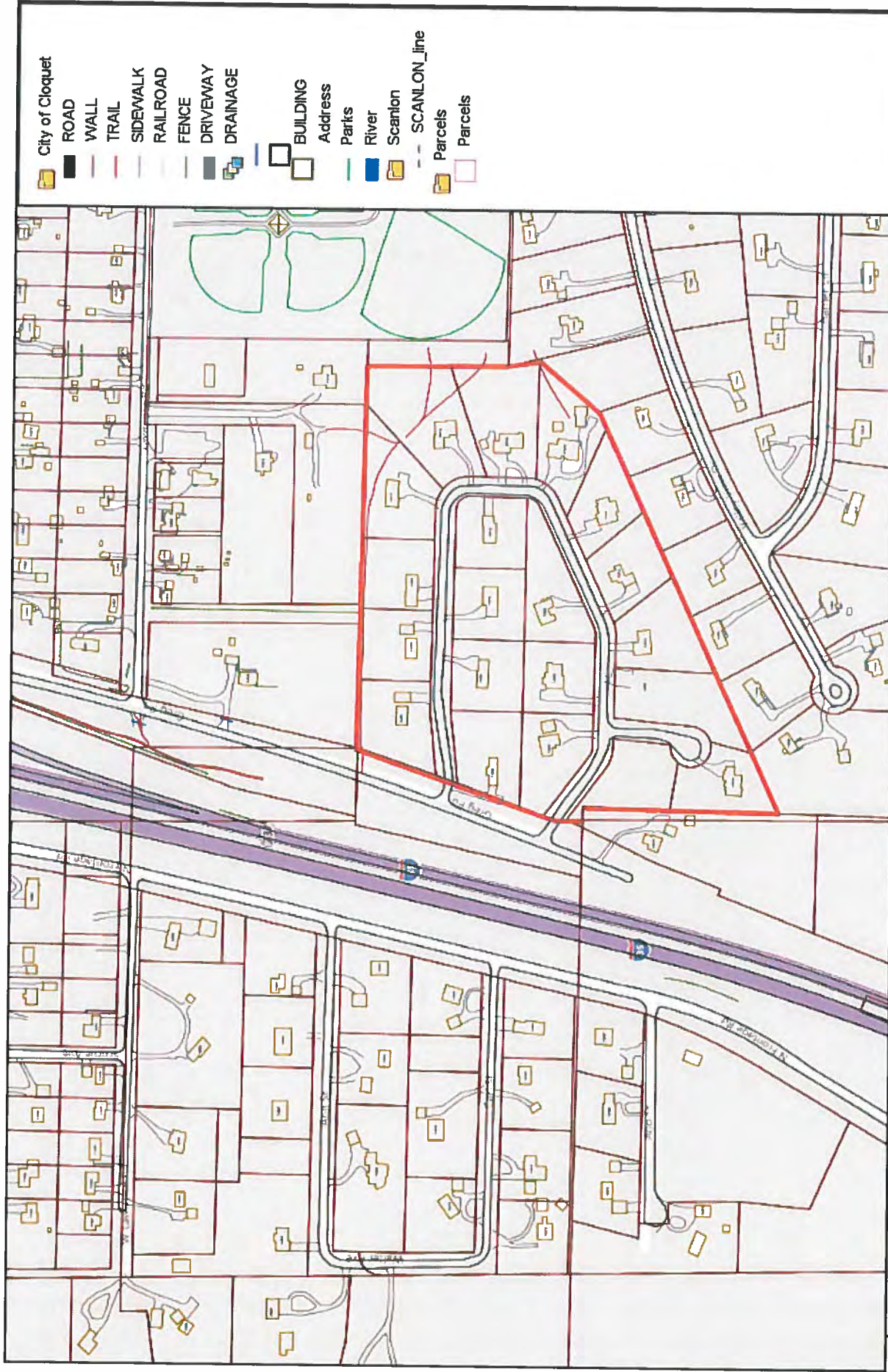


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# Valley View 2nd Addition



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.





**Community Development Department**

1307 Cloquet Avenue • Cloquet MN 55720  
Phone: 218-879-2507 • Fax: 218-879-6555

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To: Planning Commission  
From: Al Cottingham, City Planner/Zoning Administrator  
Date: February 8, 2017

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**ITEM DESCRIPTION: Breweries, Taprooms, Brew Pubs and Micro Distilleries**

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The City Council recently amended the City Code to include Brewery Taproom (microbrewery), Brew Pub and Micro-Distillery. With these changes to the City Code the Planning Commission will need to make recommendations for changing the Zoning Ordinance to also address these facilities and where they should be located within the City either as a permitted or conditional use.

Staff will be prepared to discuss the differences of the uses and our thoughts as to where they could be located.



**Community Development Department**

1307 Cloquet Avenue • Cloquet MN 55720  
Phone: 218-879-2507 • Fax: 218-879-6555

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To: Planning Commission  
From: Al Cottingham, City Planner/Zoning Administrator  
Date: February 8, 2017

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**ITEM DESCRIPTION: Meeting Etiquette**

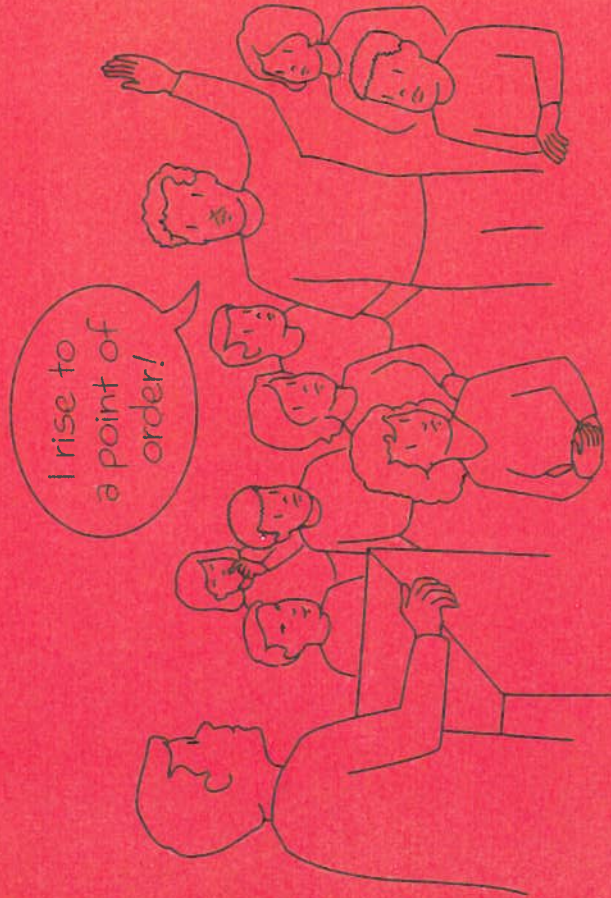
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With two new member's joining the commission I thought it would be a good idea to discuss meeting etiquette and a little bit on how the meetings are run. Following our last two meetings and the controversial items that we sometimes have on the agenda this also makes for a good time to review this. I am including a copy of a brochure titled "The a-b-c's of Parliamentary Procedure". I believe that it is beneficial to review this every once in a while for a reminder to all of us



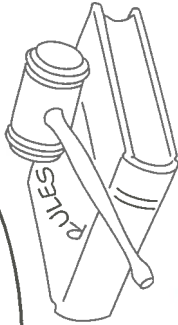
The a-b-c's of

# PARLIAMENTARY PROCEDURE



## WHAT IS PARLIAMENTARY PROCEDURE?

It's a set of rules for conducting business at meetings and public gatherings.

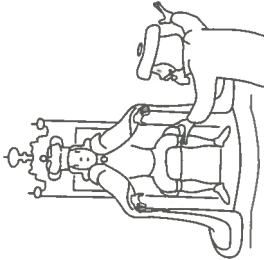


## WHY IS PARLIAMENTARY PROCEDURE IMPORTANT?

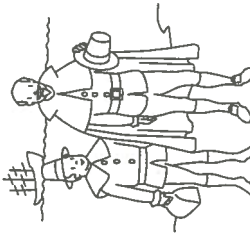
Because it allows everyone to be heard and to make decisions without confusion.

## PARLIAMENTARY PROCEDURE HAS A LONG HISTORY

**IT ORIGINATED** in the early English Parliaments.



**IT CAME TO AMERICA** with the first European settlers.

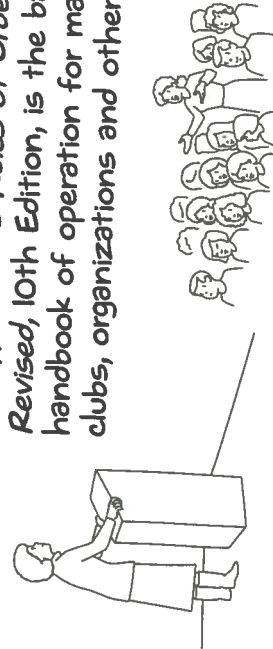


**IT BECAME UNIFORM**

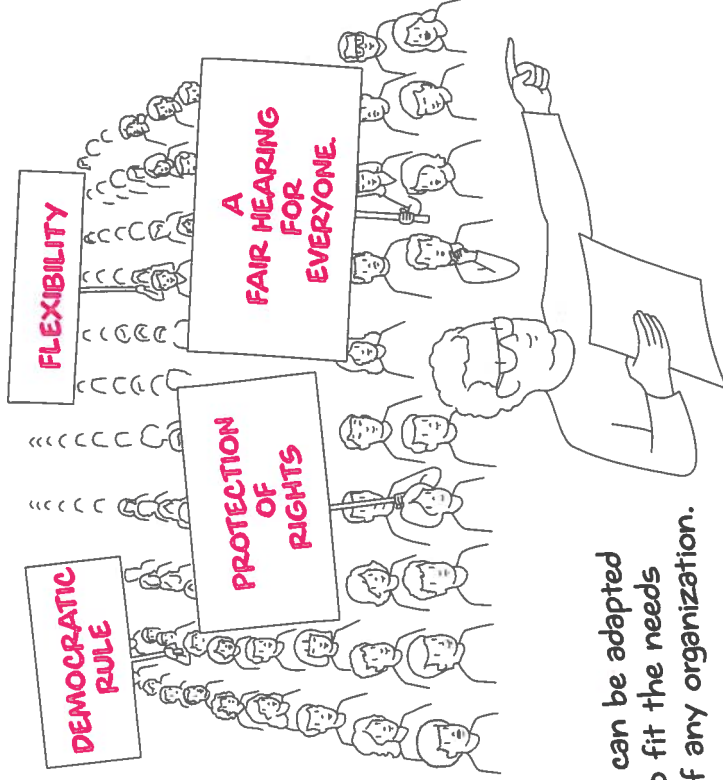
in 1876, when Henry M. Robert published his manual on Parliamentary Law.



Today, *Robert's Rules of Order Newly Revised*, 10th Edition, is the basic handbook of operation for many clubs, organizations and other groups.



## PARLIAMENTARY PROCEDURE MEANS:



It can be adapted to fit the needs of any organization.

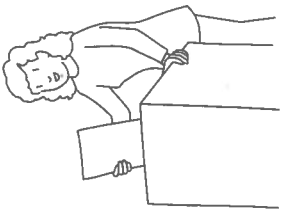
So, it's important for everyone to know these basic rules!

Note: A glossary and index are on page 14.



# A FIXED AGENDA,

or order of business, is generally followed by organizations using parliamentary procedure. Here's a typical example:



## 1. CALL TO ORDER

If a quorum\* is present, the chair (the person conducting the meeting) says, "The meeting will come to order."

## 2. MINUTES

The secretary reads a record of the previous meeting.

## 3. OFFICERS' REPORTS

Officers and standing (permanent) committees may report on their activities. Some only report at annual meetings.

## 4. REPORTS OF SPECIAL COMMITTEES

Special (temporary) committees report on the tasks for which they were created.

## 5. SPECIAL ORDERS

This is important business previously designated for consideration at this meeting.

## 6. UNFINISHED BUSINESS

This is business that has come over from the previous meeting.

## 7. NEW BUSINESS

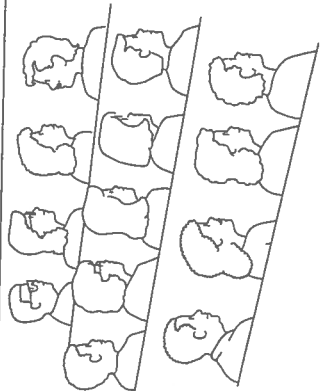
New topics are introduced.

## 8. ANNOUNCEMENTS

These inform the assembly (the people at the meeting) of other subjects and events.

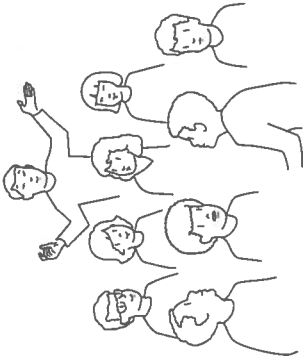
## 9. ADJOURNMENT

The meeting ends by a vote or by general consent (or by the chair's decision if the time of adjournment was prearranged by vote).



\*A quorum is the number or percentage of members that must be present for business to be conducted legally. The actual number is usually stated in the bylaws.

Note: Some assemblies may hold electronic meetings, such as videoconferences or teleconferences. These assemblies may need to modify some rules for obtaining the floor, but they should still follow the other rules of parliamentary procedure.



They make motions. A motion is a proposal that the assembly take a stand or take action on some issue. Members have a right to:

## PRESENT MOTIONS

(make a proposal)



## SECOND MOTIONS

(express support for discussion of another member's motion)



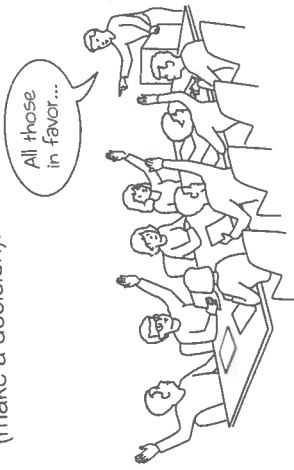
## DEBATE MOTIONS

(give opinions on the motion)



## VOTE ON MOTIONS

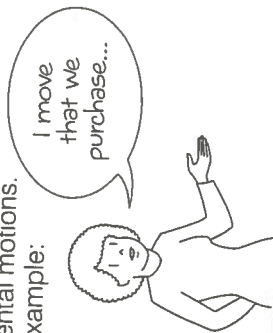
(make a decision).



# THERE ARE 5 GENERAL TYPES OF MOTIONS

## 1 MAIN MOTIONS

These introduce subjects for consideration. They cannot be made when another motion is before the assembly. They yield to privileged, subsidiary and incidental motions.  
For example:



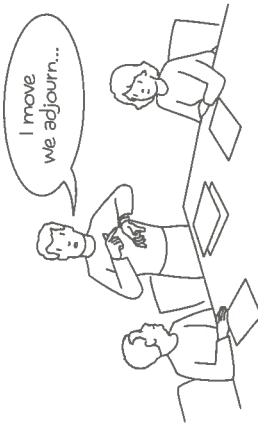
## 2 SUBSIDIARY MOTIONS

These change or affect how the main motion is handled. (They are voted on before the main motion.)  
For example:



## 3 PRIVILEGED MOTIONS

These concern special or important matters not related to pending business. In general, they are considered before other types of motions.  
For example:



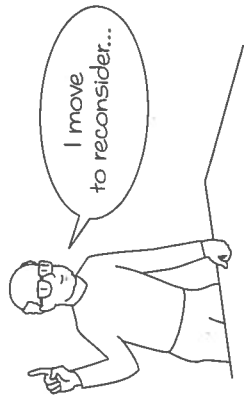
## 4 INCIDENTAL MOTIONS

These are questions of procedure that arise out of other motions. They must be considered before the other motion. For example:



## 5 MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY

These enable certain items to be reconsidered. In general, they are brought up when no business is pending.  
For example:



## SOME QUESTIONS RELATING TO MOTIONS:

### CAN IT BE AMENDED?

Some motions can be changed by striking out or inserting wording, or both. Amendments must relate to the subject as presented in the main motion.

### WHAT VOTE IS NEEDED?

Most require only a majority vote (more than half the members present and voting). But, motions concerning the rights of the assembly or its members need a  $\frac{2}{3}$  vote to be adopted.

### CAN IT BE RECONSIDERED?

Some motions can be debated again and revoted to give members a chance to change their minds. The motion to reconsider must come from the winning side.

### IS IT IN ORDER?

Your motion must relate to the business at hand and be presented at the right time. It must not be obstructive, frivolous or against the bylaws.

### MAY I INTERRUPT THE SPEAKER?

Some motions are so important that the speaker may be interrupted to make them. The original speaker regains the floor after the interruption has been attended to.

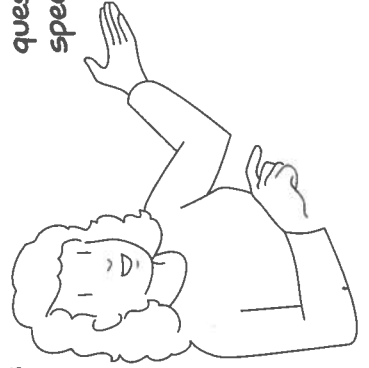
### DO I NEED A SECOND?

Usually, yes. A second indicates that another member would like to consider your motion. It prevents spending time on a question that interests only one person.

### IS IT DEBATABLE?

Parliamentary procedure guards the right to free and full debate on most motions. However, some subsidiary, privileged and incidental motions are not debatable.

The table on pages 8 and 9 answers these questions for some specific motions.



# PARLIAMENTARY PROCEDURE AT A GLANCE

Here are some motions you might make, how to make them, and what to expect of the rules.

<b>TO DO THIS:</b>	<b>YOU SAY THIS:</b>	<b>LAY YOU INTERRUPT SPEAKER?</b>	<b>DO YOU NEED A SECOND?</b>	<b>IS IT DEBATABLE?</b>	<b>CAN IT BE AMENDED?</b>	<b>WHAT VOTE IS NEEDED?</b>	<b>CAN IT BE RECONSIDERED?</b>
ADJOURN MEETING	"I move to adjourn."	NO	YES	NO	NO	MAJORITY	NO
CALL AN INTERMISSION	"I move to recess for..."	NO	YES	NO <sup>1</sup>	YES	MAJORITY	NO
COMPLAIN ABOUT HEAT, NOISE, ETC.	"I rise to a question of privilege."	YES	NO	NO	NO	NO VOTE	NO
TEMPORARILY SUSPEND CONSIDERATION OF AN ISSUE	"I move to lay the motion on the table."	NO	YES	NO	NO	MAJORITY	NO <sup>2</sup>
END DEBATE AND AMENDMENTS	"I move the previous question."	NO	YES	NO	NO	$\frac{2}{3}$	YES <sup>3</sup>
POSTPONE DISCUSSION FOR A CERTAIN TIME	"I move to postpone the discussion until..."	NO	YES	YES	YES	MAJORITY	YES
GIVE CLOSER STUDY OF SOMETHING	"I move to refer the matter to committee."	NO	YES	YES	YES	MAJORITY	YES <sup>4</sup>
AMEND A MOTION	"I move to amend the motion by..."	NO	YES	YES <sup>5</sup>	YES	MAJORITY	YES
INTRODUCE BUSINESS	"I move that..."	NO	YES	YES	YES	MAJORITY	YES

## THE MOTIONS LISTED ABOVE ARE IN ORDER OF PRECEDENCE BELOW, THERE IS NO ORDER...

PROTEST BREACH OF RULES OR CONDUCT	"I rise to a point of order."	YES	NO	NO	NO	NO VOTE <sup>6</sup>	NO
VOTE ON A RULING OF THE CHAIR	"I appeal from the chair's decision."	YES	YES	YES	NO	MAJORITY	YES
SUSPEND RULES TEMPORARILY	"I move to suspend the rules so that..."	NO	YES	NO	NO	$\frac{2}{3}$	NO
AVOID CONSIDERING AN IMPROPER MATTER	"I object to consideration of this motion."	YES	NO	NO	NO	$\frac{2}{3}$ <sup>7</sup>	YES <sup>2</sup>
VERIFY A VOICE VOTE BY HAVING MEMBERS STAND	"I call for a division," or "Division!"	YES	NO	NO	NO	NO VOTE	NO
REQUEST INFORMATION	"Point of information..."	YES	NO	NO	NO	NO VOTE	NO
TAKE UP A MATTER PREVIOUSLY TABLED	"I move to take from the table..."	NO	YES	NO	NO	MAJORITY	NO
RECONSIDER A HASTY ACTION	"I move to reconsider the vote on..."	YES <sup>8</sup>	YES	YES <sup>9</sup>	NO	MAJORITY	NO

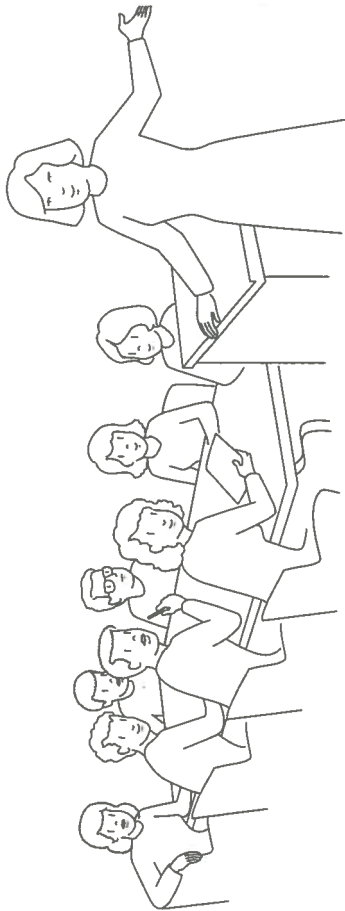
**NOTES:**

- <sup>1</sup> Unless moved when no question is pending, reconsidered.
- <sup>2</sup> Affirmative votes may not be reconsidered.
- <sup>3</sup> Unless vote on question has begun.
- <sup>4</sup> Unless the committee has already taken up the subject.
- <sup>5</sup> Unless the motion to be amended is not debatable.
- <sup>6</sup> Unless the motion to be reconsidered is not debatable.
- <sup>7</sup> A  $\frac{2}{3}$  vote in negative is needed to prevent consideration of the main motion.
- <sup>8</sup> Only if the speaker has the floor but has not actually begun to speak.
- <sup>9</sup> Unless the motion to be reconsidered is not debatable.



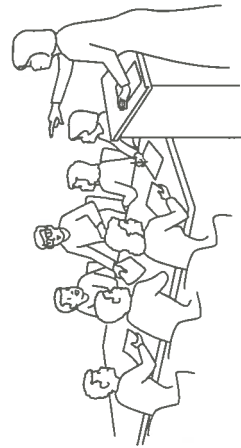
# HOW DO I PRESENT MY MOTION?

Here's what happens when you want a motion considered:



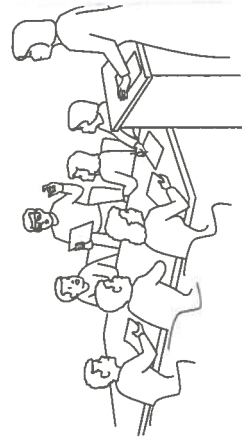
## 1 YOU OBTAIN THE FLOOR

- Wait until the previous speaker is finished.
- Rise and address the chair. Say, "Mr. (or Madam) Chairperson" or "Mr. (or Madam) President."
- Give your name. The chair will recognize you by repeating it.



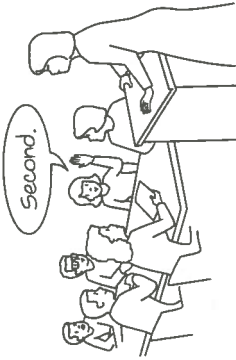
## 2 YOU MAKE YOUR MOTION

- Speak clearly and concisely.
- State your motion affirmatively. Say, "I move that we do..." instead of "I move that we do not..."
- Stay on the subject and avoid personal attacks.



## 3 YOU WAIT FOR A SECOND

- Another member will say, "I second the motion."
- Or, the chair will call for a second.
- If there is no second, your motion will not be considered. Motions made at the direction of a board or committee (of more than one person) do not require a second.



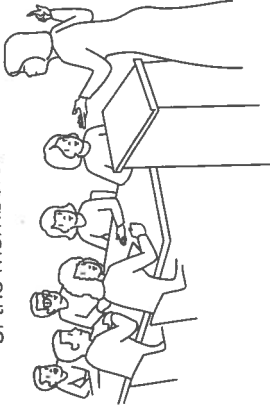
## 5 YOU EXPAND ON YOUR MOTION

- As the person who made the motion, you are allowed to speak first.
- Direct all comments to the chair.
- Keep to the time limit for speaking.
- You may speak again after all other speakers are finished.
- You may speak a third time by a motion to suspend the rules with a  $\frac{2}{3}$  vote.



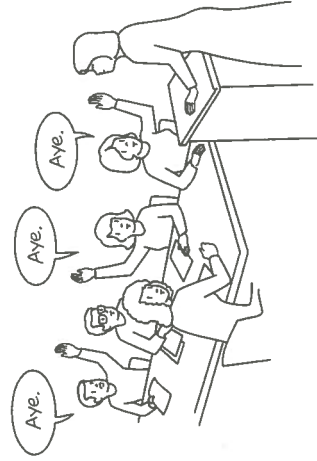
## 6 THE CHAIR STATES YOUR MOTION

- The chair must say, "It is moved and seconded that we..."
- After this happens, debate or voting can occur.
- Your motion is now "assembly property," and you can't change it without consent of the members.



## 6 THE CHAIR PUTS THE QUESTION

- The chair asks, "Are you ready for the question?"
- If there is no more debate, or if a motion to stop debate is adopted, a vote is taken.
- The chair announces the results.



## THE METHOD OF VOTING ON A MOTION

depends on the situation and on the bylaws of your organization. You may vote by:

### VOICE

The chair asks those in favor to say "aye" and those opposed to say "no" (for majority votes only). A member may move for an exact count.



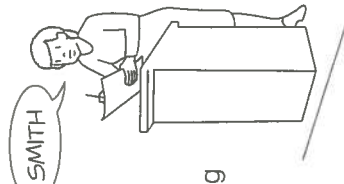
### SHOW OF HANDS

Members raise their hands to verify a voice vote, or as an alternative to it. This does not require a count. A member may move for an exact count.



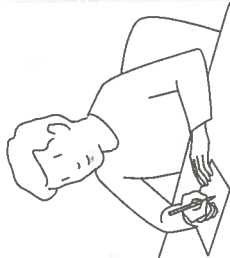
### ROLL CALL

If a record of each person's vote is needed, each member answers "yes," "no" or "present" (indicating the choice not to vote) as his or her name is called.



### BALLOT

Members write their vote on a slip of paper. This is done when secrecy is desired.



## MORE ABOUT VOTING

Are we ready for the question?

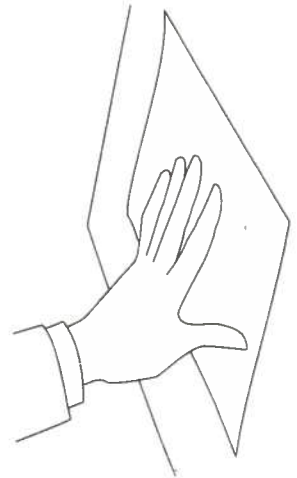


A question (motion) is pending when it has been stated by the chair but not yet voted on. The last motion stated by the chair is the first pending. The main motion is always the last voted on.

### A MOTION TO LAY ON THE TABLE

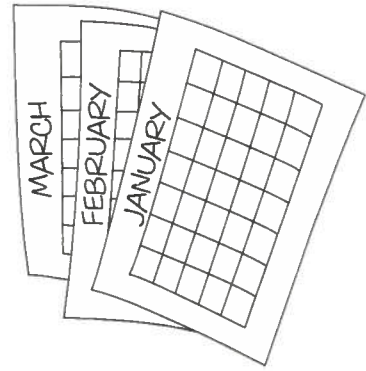
This motion is used to lay something aside temporarily to take care of a more urgent matter. It should not be used to prevent debate or to kill a question.

Members can "take from the table" a motion for reconsideration. This must happen by the end of the current or next session (depending on how soon the next session is scheduled).



### A MOTION TO POSTPONE INDEFINITELY

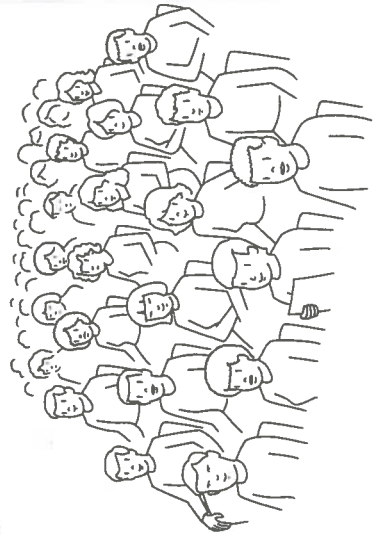
This is parliamentary strategy. It allows members to dispose of a motion without making a decision for or against. This is useful in case of a badly chosen main motion for which either a "yes" or "no" vote would have undesirable consequences.



### GENERAL CONSENT

When a motion isn't likely to be opposed, the chair says, "If there is no objection..." Members show consent by their silence.

If someone says, "I object," the matter must be put to a vote.



# GLOSSARY AND INDEX



**ADJOURN**  
To end the meeting  
Ways to adjourn . . . . . 4  
How to move to adjourn . . . 8-9

**AGENDA**  
Business to be considered during a meeting . . . . . 4

**AMEND**  
To change a motion  
Ways to amend . . . . . 7  
How to move to amend . . . 8-9

**COMMITTEE**  
A group of members chosen for a certain task . . . . . 4

**DEBATE**  
Discussion about a motion  
Members' right . . . . . 5  
When to debate . . . . . 7-9  
Rules on debate . . . . . 11

**GENERAL CONSENT**  
Adopting a motion without a vote . . . . . 12

**IN ORDER**  
Relevant to the business at hand . . . . . 7

**MAJORITY**  
More than half of the members present and voting  
In voting . . . . . 7  
When required . . . . . 8-9

**MOTION**  
A proposal that the assembly take a stand or take action on some issue  
Types of motions . . . . . 6, 13  
Procedures affecting motions . . . . . 6-7  
Typical motions . . . . . 8-9  
How to make a motion . . . 10-11

**QUORUM**  
Number or percentage of members that must be present to conduct business legally . . . . . 4

**SECOND**  
A verbal signal from a member that he or she wishes to consider a motion just made  
Members' right . . . . . 5  
When required . . . . . 7-9  
How to give a second . . . 11

**VOTING**  
Means by which motions are accepted or rejected by the assembly  
Members' right . . . . . 5  
What vote is needed . . . . 7-9  
Method of voting . . . . . 12

So--

# PARLIAMENTARY PROCEDURE HELPS GET THINGS DONE

✓ **MAKE MOTIONS**  
that are in order.

✓ **OBTAIN THE FLOOR**  
properly.

✓ **SPEAK**  
clearly and concisely.

✓ **OBEY**  
the rules of debate.

And, most of all,  
be courteous.

