

Council Chambers, Cloquet, Minnesota
7:00 P.M. June 4, 2019

Regular Meeting

Roll Call

Councilors Present: Carlson, Koski, Kolodge, Langley, Wilkinson, Mayor Maki

Councilors Absent: Lamb

Pledge of Allegiance

AGENDA

MOTION: Councilor Langley moved and Councilor Wilkinson seconded the motion to approve the June 4, 2019 agenda. The motion carried unanimously (6-0).

MINUTES

MOTION: Councilor Kolodge moved and Councilor Carlson seconded the motion to approve the Work Session minutes and Regular Meeting minutes of May 21, 2019 as presented. The motion carried unanimously (6-0).

CONSENT AGENDA

MOTION: Councilor Langley moved and Councilor Koski seconded the motion to adopt the Consent Agenda of June 4, 2019, approving the necessary motions and resolutions. The motion carried unanimously (6-0).

- a. Resolution No. 19-44, A Resolution Authorizing the Payment of Bills and Payroll
- b. Resolution No. 19-48, A Resolution Amending Resolution No. 18-88, Approving the Sale of the City Hall Property Located at 1307 Cloquet Avenue
- c. Western Lake Superior Sanitary District Board Reappointment – David Manderfeld
- d. Resolution No. 19-47, A Resolution Awarding Pinetree Plaza Project, Base Bid Only
- e. Approval of Optional 2 AM Liquor License – Cloquet Bar & Lounge
- f. Approval of Exempt Permit to Conduct a Raffle Event – Queen of Peace Parish

PUBLIC HEARINGS

There were none.

PRESENTATIONS

- a. Mayor's Proclamation, Friday, June 14, 2019 as Senior Citizens Day

DECLARING A VACANCY FOR COUNCIL MEMBER WARD 3

MOTION: Councilor Wilkinson moved and Councilor Kolodge seconded the motion to authorize a Special Election to be held on the next available date described by law, to fill the vacant Ward 3 Council Seat. The motion carried unanimously (6-0).

COMPREHENSIVE PLAN AMENDMENT AND REZONING FOR M. KOSKI

MOTION: Councilor Koski moved and Councilor Kolodge seconded the motion to adopt **RESOLUTION NO. 19-43, A RESOLUTION APPROVING THE COMPREHENSIVE PLAN AMENDMENT (LAND USE PLAN) FROM "LIGHT INDUSTRY" TO "PUBLIC-SEMI PUBLIC"**. The motion carried unanimously (6-0).

WHEREAS, Mike Koski is proposing a Comprehensive Plan Amendment (Land Use Plan) from "Light Industry" to "Public – Semi Public"; and

WHEREAS, As required by ordinance, notice was published in the Pine Journal and mailed to property owners within 350 feet. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on May 14, 2019 at which time Zoning Case / Development Review No. 19-06 was heard and discussed; and

WHEREAS, the property of the proposed Comprehensive Plan Amendment (Land Use Plan) is located at 1001 Avenue B and is legally described as follows:

Those portions of Lots 1, 2, 3, and the Northerly 15 feet of Lot 4 of Block 6, Nelson's Subdivision of Outlots thirty-five (35), thirty -six (36) and forty (40), in the Village of Cloquet, Carlton County; Minnesota according to the recorded plat thereof on file and of record in the office of the Register of Deeds in and for Carlton County, Minnesota, which lie Southerly of a line parallel with and distant 9.0 feet Southerly from, measured at right angles and/or radially to the **BNSF** Railway Company's (Formerly Great Northern Railway Company) most southerly Spur Track centerline as now located and constructed.

EXCEPTING THEREFROM, the Southerly 40 feet of said Lot 1; **AND** All of Lot 5, Block 6, Nelson's Subdivision of Outlets 35, 36, and 40 of the City of Cloquet, Carlton County, Minnesota; **AND** All that part of Lot 6, Block 6, Nelson's Subdivision of Outlets 35, 36, and 40 of the City of Cloquet, Carlton County, Minnesota, lying North of the following described line: Commencing at the Northwest corner of said Lot 6; thence South along the West line of said Lot 6, a distance of 22 feet to the point of beginning; thence in a Southeasterly direction to a point on the East line of said Lot 6, a distance of 36.2 feet from the Northeast corner thereof; **AND** All that part of Lot 4, Block 6, Nelson's Subdivision of Outlots 35, 36, and 40 of in the Village of Cloquet, now City, according to the plat thereof on file and of record in the office of the County Recorder in and for Carlton county, Minnesota, except the North 15 feet thereof; **AND TOGETHER WITH** that portion of 10th Street heretofore vacated, which adjoins the premises herein described on the West Boundary, as described in Warranty Deed dated February 22, 1990, recorded March 2, 1990 as Document No. 270445.

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the Comprehensive Plan Amendment (Land Use Plan).

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves of Zoning Case 19-06 for a comprehensive plan amendment (land use plan) from "Light Industry" to "Public – Semi Public" subject to the following condition:

1. The Comprehensive Plan Amendment (Land Use Plan) will not be finalized until a building permit is issued.

MOTION: Councilor Kolodge moved and Councilor Langley seconded the motion adopt **ORDINANCE NO. 481A, AN ORDINANCE TO AMEND CHAPTER 17 BY AMENDING THE ZONING MAP OF THE CITY OF CLOQUET FROM "LI-LIGHT INDUSTRIAL" TO "PI-PUBLIC/INSTITUTIONAL"**. The motion carried unanimously (6-0).

Section 1. The Zoning Map of the City of Cloquet is hereby amended to change the zoning designation of the following described property from LI – Light Industrial to PI – Public/Institutional:

Those portions of Lots 1, 2, 3, and the Northerly 15 feet of Lot 4 of Block 6, Nelson's Subdivision of Outlots thirty-five (35), thirty -six (36) and forty (40), in the Village of Cloquet, Carlton County; Minnesota according to the recorded plat thereof on file and of record in the office of the Register of Deeds in and for Carlton County, Minnesota, which lie Southerly of a line parallel with and distant 9.0 feet Southerly from, measured at right angles and/or radially to the **BNSF** Railway Company's (Formerly Great Northern Railway Company) most southerly Spur Track centerline as now located and constructed.

EXCEPTING THEREFROM, the Southerly 40 feet of said Lot 1; **AND** All of Lot 5, Block 6, Nelson's Subdivision of Outlets 35, 36, and 40 of the City of Cloquet, Carlton County, Minnesota; **AND** All that part of Lot 6, Block 6, Nelson's Subdivision of Outlets 35, 36, and 40 of the City of Cloquet, Carlton County, Minnesota, lying North of the following described line: Commencing at the Northwest corner of said Lot 6; thence South along the West line of said Lot 6, a distance of 22 feet to the point of beginning; thence in a Southeasterly direction to a point on the East line of said Lot 6, a distance of 36.2 feet from the Northeast corner thereof; **AND** All that part of Lot 4, Block 6, Nelson's Subdivision of Outlots 35, 36, and 40 of in the Village of Cloquet, now City, according to the plat thereof on file and of record in the office of the County Recorder in and for Carlton county, Minnesota, except the North 15 feet thereof; **AND TOGETHER WITH** that portion of 10th Street heretofore vacated, which adjoins the premises herein described on the West Boundary, as described in Warranty Deed dated February 22, 1990, recorded March 2, 1990 as Document No. 270445.

Section 2. Effective Date. This ordinance shall take effect and be in force from and after its passage and publication in accordance with law.

POLICE DEPARTMENT VEHICLES PURCHASE

MOTION: Councilor Carlson moved and Councilor Wilkinson seconded the motion to table the purchase of two 2019 all-wheel drive Dodge Chargers, purchase a currently leased squad, and purchase and install necessary squad car equipment for a total amount of \$95,000 until Councilor Lamb returns and all Council Members are in attendance to vote. The motion carried (5-1), Councilor Langley opposed.

COMPREHENSIVE PLAN AMENDMENT AND REZONING FOR M. AHCESON

MOTION: Councilor Wilkinson moved and Councilor Kolodge seconded the motion to approve **RESOLUTION NO. 19-40, A RESOLUTION DENYING THE COMPREHENSIVE PLAN AMENDMENT FROM “LOW DENSITY RESIDENTIAL” TO “HIGHWAY COMMERCIAL”**. The motion failed, (1-5), Councilors Carlson, Koski, Kolodge, Langley and Mayor Maki opposed.

MOTION: Councilor Wilkinson moved and Councilor Kolodge seconded the motion to approve **RESOLUTION NO. 19-41, A RESOLUTION DENYING THE REZONING FROM “R1-SINGLE FAMILY RESIDENCE” TO “RC-HIGHWAY COMMERCIAL”**. The motion failed (1-5), Councilors Carlson, Koski, Kolodge, Langley and Mayor Maki opposed.

MOTION: Councilor Langley moved and Councilor Koski seconded the motion to approve **RESOLUTION NO. 19-40, A RESOLUTION APPROVING THE COMPREHENSIVE PLAN AMENDMENT (LAND USE PLAN) FROM “LOW DENSITY RESIDENTIAL” TO “HIGHWAY COMMERCIAL”**. The motion passed, (5-1), Wilkinson opposed.

WHEREAS, Michael J. Acheson is proposing a Comprehensive Plan Amendment (Land Use Plan) from “Low Density Residential” to “Highway Commercial”; and

WHEREAS, As required by ordinance, notice was published in the Pine Journal and mailed to property owners within 350 feet. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on May 14, 2019 at which time Zoning Case / Development Review No. 19-07 was heard and discussed; and

WHEREAS, the property of the proposed Comprehensive Plan Amendment (Land Use Plan) is located northwest of Sunnyside and Boulder Drives and is legally described as follows:

Lot 1, Anderson’s Sunnyside Addition to the City of Cloquet, according to the plat thereof on file and of record in the office of the County Recorder, in and for Carlton County, Minnesota; which lies Westerly and Northerly of Line 1 described below: Line 1 – Commencing at Right-of-Way Boundary Corner B31 as shown on Minnesota Department of Transportation Right-of-Way Plat No. 09-12, as the same is on file and of record in the office of said County Recorder; thence Southeasterly on an azimuth of 156 degrees 22 minutes 00 seconds along the boundary of said plat for 295.80 feet to Right-of-Way Boundary Corner B30 and the point of beginning of Line 1 to be described; thence continue on an azimuth of 156 degrees 22 minutes 00 seconds for 100.00 feet; thence on an azimuth of 237 degrees 35 minutes 08 seconds for 89.90 feet, more or less, to the Westerly line of Said Lot 1 and there terminating.

WHEREAS, the Planning Commission reviewed the staff report and recommends denial of the Comprehensive Plan Amendment (Land Use Plan).

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves Zoning Case 19-07 for a comprehensive plan amendment (land use plan) from “Low Density Residential” to “Highway Commercial”.

MOTION: Councilor Kolodge moved and Councilor Langley seconded the motion to approve **ORDINANCE NO. 482A, AN ORDINANCE TO AMEND CHAPTER 17 OF THE CITY CODE, BY AMENDING THE ZONING MAP OF THE CITY OF CLOQUET FROM “R1 – SINGLE-FAMILY RESIDENCE” TO “RC – HIGHWAY COMMERCIAL”**. Motion passed (5-1), Wilkinson opposed.

Section 1. The Zoning Map of the City of Cloquet is hereby amended to change the zoning designation of the following described property from R1 – Single-Family Residence to RC – Highway Commercial:

Lot 1, Anderson’s Sunnyside Addition to the City of Cloquet, according to the plat thereof on file and of record in the office of the County Recorder, in and for Carlton County,

Minnesota; which lies Westerly and Northerly of Line 1 described below: Line 1 – Commencing at Right-of-Way Boundary Corner B31 as shown on Minnesota Department of Transportation Right-of-Way Plat No. 09-12, as the same is on file and of record in the office of said County Recorder; thence Southeasterly on an azimuth of 156 degrees 22 minutes 00 seconds along the boundary of said plat for 295.80 feet to Right-of-Way Boundary Corner B30 and the point of beginning of Line 1 to be described; thence continue on an azimuth of 156 degrees 22 minutes 00 seconds for 100.00 feet; thence on an azimuth of 237 degrees 35 minutes 08 seconds for 89.90 feet, more or less, to the Westerly line of Said Lot 1 and there terminating.

Section 2. Effective Date. This ordinance shall take effect and be in force from and after its passage and publication in accordance with law.

PUBLIC COMMENTS

Rick Wilkinson, 26 11th Street, addressed the Council regarding the upgraded traffic signals on Cloquet Avenue stating his appreciation for making it safer for him to cross the street.

John Sanders, 201 Boulder Drive, stated he feels the Council's decision to vote in favor of the Comprehensive Plan Amendment to allow the parking lot extension for Sammy's Pizza shows no consideration for the residents of Boulder Drive and going forward he will treat cases brought to the Planning Commission the same way.

CLOSED MEETING

PRELIMINARY CONSIDERATION OF ALLEGATIONS AGAINST A CITY EMPLOYEE

Mayor Maki announced that the City Council would adjourn into a Closed Meeting pursuant to Minnesota Statutes, section 13.D.05, subdivision 2(b). Those present included Mayor Maki, Councilors Carlson, Koski, Kolodge, Langley and Wilkinson, City Administrator Reeves, Assistant City Administrator Barclay, Carey Ferrell, Roger Knutson from Campbell Knutson, Scott Holman, attorneys Mike Padden, Kevin Beck and Teamsters representative Jeff Oveson.

MOTION: Councilor Koski moved and Councilor Wilkinson seconded the motion to close the meeting. The motion carried unanimously (6-0). Mayor Maki announced the time as 7:35 p.m.

Mayor Maki announced that following the closed meeting for preliminary consideration of allegations against a city employee, the City Council meeting is now open. The time is 8:55 p.m.

MOTION: Mayor Maki moved and Councilor Wilkinson seconded the motion to terminate Scott Holman and have City Administrator Reeves send Mr. Holman a letter explaining the basis of termination and Mr. Holman's rights under COBRA. The motion carried (4-2), Councilors Koski and Langley opposed.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

There were none.

On a motion duly carried by a unanimous yea vote of all members present on roll call, the Council adjourned.

Aaron Reeves, City Administrator