

Council Chambers, Cloquet, Minnesota
7:00 P.M. January 7, 2020

Regular Meeting

Roll Call

Councilors Present: Carlson, Swanson, Lamb, Kolodge, Langley, Wilkinson, Mayor Maki

Councilors Absent: None.

Pledge of Allegiance

AGENDA

MOTION: Councilor Lamb moved and Councilor Swanson seconded the motion to approve the January 7, 2020 agenda. The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Swanson moved and Councilor Wilkinson seconded the motion to approve the Work Session and Regular Meeting minutes of December 17, 2019 as presented. The motion carried (7-0).

PUBLIC COMMENTS

Dan Tarr, 430 9th Street, addressed the Council regarding public gun storage at the Police Station to prevent theft of guns and as a way to protect the public. Mr. Tarr has experienced theft of his guns in the past and thinks a secured gun storage at the Police Department is one way to prevent further theft or injury.

Lee Anderson, 1202 West Taylor Avenue, requested that Council consider revisiting the PLA ordinance. Mr. Anderson encouraged Council to perform additional due diligence and provided information showing a PLA will increase project costs by as much as 30%. Mr. Anderson stated the PLA means entering into an exclusive agreement at the expense of many non-union contractors, and they are refusing to bid projects because of the PLA.

Representative Sundeen approached the Council regarding the PLA, stating the White Pine Apartment projects were the subject of a number of failures that would not have happened if it was a union job. Unions provide safe, well-constructed projects. Mr. Sundeen requested Council to consider the benefits of the PLA.

CONSENT AGENDA

MOTION: Councilor Kolodge moved and Councilor Langley seconded the motion to adopt the Consent Agenda of December 17, 2019, approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 20-01, Authorizing the Payment of Bills and Payroll
- b. Resolution No. 20-02, Authorizing the Designation of Depositories for 2020
- c. Approval of Standing Rules of Council
- d. Consideration of Appointments to Boards and Commissions
- e. Economic Development Authority At-Large Commission Seat Appointments
- f. 2020 Official Newspaper Designation – Pine Knot News
- g. Pinetree Plaza Change Order No. 1
- h. Remaining 2020 Business License Renewals

PUBLIC HEARINGS

There were none.

PRESENTATIONS

There were none.

ACTING MAYOR APPOINTMENT

MOTION: Councilor Lamb moved and Councilor Carlson seconded the motion to appoint Councilor Kolodge to the position of Acting Mayor for 2020. The motion carried (6-0). Councilor Kolodge abstained.

QUALIFIED PUMPHOUSE OPERATOR AND RELIEF PUMPHOUSE OPERATOR APPOINTMENTS

MOTION: Councilor Swanson moved and Councilor Lamb seconded the motion to approve the appointment of Warren Haapoja to the position of Qualified Pumphouse Operator and Mike Austin to the position of Relief Pumphouse Operator in the Public Works-Utilities Department effective January 18, 2020. The motion carried unanimously (7-0).

CUP AMENDMENT FOR SKB ENVIRONMENTAL FOR EXPANDED HOURS

City Attorney Helwig was present to address the December 17, 2019 Council denial of the Conditional Use Permit Amendment for SKB Environmental Cloquet Landfill. Mr. Helwig explained that Council members need to state reasons to support the denial other than citizen opposition. Only reasons discussed at the public hearing are valid and must be put into record. Council may by motion reconsider the vote in order to state denial reasons at the first meeting following the denial.

MOTION: Councilor Lamb moved and Councilor Wilkinson seconded the motion to reconsider the Conditional Use Permit amendment for SKB Environmental Cloquet Landfill for expanded hours. The motion carried (6-1), Councilor Langley opposed.

MOTION: Councilor Lamb moved and Councilor Wilkinson seconded the motion to reconfirm **RESOLUTION NO. 19-105, DENYING THE CONDITIONAL USE PERMIT AMENDMENT FOR SKB ENVIRONMENTAL CLOQUET LANDFILL FOR EXPANDED HOURS IN THE HI-HEAVY INDUSTRY DISTRICT.** The motion carried (4-3). Councilors Swanson, Langley and Mayor Maki opposed.

Council members who voted to deny the amendment were polled for their denial reasons and they are as follows:

- Councilor Carlson – Concern with odor, cancer issues and prior amendments to expanded hours.
- Councilor Lamb – Noise levels and the past denials on any expansion of the landfill.
- Councilor Kolodge – Ordinance No. 402A regarding no expansions to city landfills.
- Councilor Wilkinson – Ordinance 402A, odor concerns and the request is beyond the scope of the original Conditional Use Permit.

WHEREAS, an Application has been submitted by Shamrock Landfill to amend their existing Conditional Use Permit which was approved on February 15, 2011 and amended on November 5, 2014. The amendment request is pursuant to 17.2.06 of the City Code, for the 59-acre Industrial Landfill to modify their hours of operation to allow 24 hours a day, seven days a week solely for the SRFI material transported with SKB trucks and direct employees, with the hours between 7am – 5pm, Monday – Saturday open to anyone; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and all neighbors within 1320 feet were notified. A public hearing was held to consider the Application at the regular meeting of the Cloquet Planning Commission on December 10, 2019 at which time Zoning Case / Development Review No. 19-16 was heard and discussed; and

WHEREAS, the property of the proposed Conditional Use Permit Amendment is located at 761 Highway 45 and is legally described as follows:

That part of the West 390.00 feet of the Northwest Quarter of the Southeast Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota, which lies southerly of Interstate Highway 35 and northerly of the South 100.00 feet of said Northwest Quarter of the Southeast Quarter.

AND ALSO

That part of the South 100.00 feet of the North Half of the Southeast Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota, which lies westerly of the right-of-way of the Great Northern Railway (now known as Burlington Northern Santa Fe Railroad).

AND ALSO

That part of the East 600.00 feet of the Northeast Quarter of the Southwest Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota, which lies southerly of Interstate Highway 35.

AND ALSO

The east 600.00 feet of the Southeast Quarter of the Southwest Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota.

AND ALSO

The South Half of Southeast Quarter lying West of Great Northern Railway Company's right-of-way (now known as Burlington Northern Santa Fe Railroad),

Section 25, Township 49, Range 17, according to the United States Government Survey thereof. EXCEPT those two parcels lying within the following described tracts;

1. Beginning at a point on the south line of said Section 25, distant 100 feet west of the southeast corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ thereof; thence run northeasterly at an angle of 68 degrees 00 minutes with said south line for 475 feet; thence deflect to the left at an angle of 112 degrees 00 minutes for 500 feet; thence deflect to the left at an angle of 68 degrees 00 minutes for 475 feet; thence deflect to the left at an angle of 112 degrees 00 minutes for 500 feet to the beginning.

2. From a point on the south line of said Section 25 distant of 100 feet west of the southeast corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, thereof, run northeasterly at an angle of 68 degrees 00 minutes with said south section line for 475 feet to the point of beginning; thence continue northeasterly along the above described course to its intersection with a line run parallel with and distant 660 feet north of the south line of said Section 25; thence run west along said 660 foot parallel line to its intersection with a line run parallel with and distant 992 feet west of the east line of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 25; thence run south along said 992 foot parallel line to the south line of said Section 25; thence run east along said section line for 392 feet; thence deflect to the left 68 degrees 00 minutes for 475 feet; thence deflect to the right 68 degrees for 500 feet to the point of beginning.

WHEREAS, the Cloquet Planning Commission reviewed the Application to Amend the Conditional Use Permit for SKB Environmental Cloquet Landfill to modify their hours of operation to allow 24 hours a day, seven days a week solely for the SRFI material transported with SKB trucks and direct employees, with the hours between 7am – 5pm, Monday – Saturday open to anyone per Section 17.2.06 Subdivisions 3 and 4 of the Cloquet Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA: that the City Council denies Zoning Case 19-16 for an amendment to the Conditional Use Permit to modify their hours of operation to allow 24 hours a day, seven days a week solely for the SRFI material transported with SKB trucks and direct employees, with the hours between 7am – 5pm, Monday – Saturday open to anyone for SKB Environmental/Shamrock Landfill.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

Councilor Swanson welcomed the young man in the audience working on his Boy Scout Merritt Badge.

Councilor Lamb commented that January is Sex Trafficking Awareness Month and thanked the Cloquet Police Department for their efforts in training officers on sex trafficking. Reminder to report suspicious activity.

Councilor Kolodge asked Public Works Director Caleb Peterson to give a status update on the city plowing efforts. Mr. Peterson Working reported the crews are working diligently every day cleaning snow banks. Focusing on school areas and higher traffic areas. Mr. Peterson stated snow storage space is already full therefore snow needs to be hauled. Staff are looking at rental trucks and drivers to accelerate the removal.

Tim Peterson, City Administrator