



**CITY OF CLOQUET
City Council Agenda
Tuesday, July 21, 2020
7:00 p.m.
VIA TELECONFERENCE**

THERE WILL BE NO WORK SESSION

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
 - a. Approval of July 21, 2020 Council Agenda
4. **Approval of Council Minutes**
 - a. Regular Council minutes from the July 7, 2020 meeting
5. **Public Comments**

Please give your name, address, and your concern or comments. Visitors may share their concerns with the City Council on any issue of public business. Each person will have 3 minutes to speak. The Mayor reserves the right to limit an individual or successive individual's presentation if they become redundant, repetitive, irrelevant or overly argumentative. All comments will be taken under advisement by the City Council. No action will be taken at this time.
6. **Consent Agenda**

Items in the Consent Agenda are considered routine and will be approved with one motion without discussion/debate. The Mayor will ask if any Council members wish to remove an item. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.

 - a. Resolution No. 20-44, Authorizing the Payment of Bills
 - b. Disposal of Surplus Equipment
 - c. Approval of New Massage Therapist License – A. O'Leary



**CITY OF CLOQUET
City Council Agenda
Tuesday, July 21, 2020
7:00 p.m.
VIA TELECONFERENCE**

7. Public Hearings

None.

8. Presentations

- a. South Highway 33 Restricted U-Turn Proposed MNDOT Design– Christian Lawien, MNDOT

9. Council Business

- a. Ordinance No. 489A, An Emergency Ordinance to Create Section 4.10 of the Municipal Code Requiring Face Coverings Within Indoor Spaces of Public Accommodation; Resolution No. 20-46, Resolution Authorizing the Publication of a Summary of Ordinance No. 489A
- b. Reschedule August 5th Council Meeting
- c. Appointment of Police Commander – A. Reed
- d. Resolution No. 20-42, Resolution Ordering the Removal of a Public Nuisance and Hazardous Building / Hazardous Excavation Located at 1360 Roland Road
- e. Resolution No. 20-43, Resolution Requesting City Council Proceed to Condemnation of 611 Adams Street
- f. Ordinance No. 490A, Amending Sections 11.3 and 11.4 of the City Code to Address the Need for the Reduction of Inflow and Infiltration into the Municipal Sewer System; Approve Resolution No. 20-45, Authorizing the Publication of a Summary of Ordinance No. 490A; and Approval of Amended 2020 Fee Schedule
- g. COVID-19 Update

10. Council Comments, Announcements, and Updates

11. Adjournment

Via Teleconference
7:00 P.M. July 7, 2020

Regular Meeting

DRAFT

Roll Call

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

Councilors Absent: None

Pledge of Allegiance

AGENDA

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

MINUTES

MOTION: Councilor Wilkinson moved and Councilor Kolodge seconded the motion to approve the Regular Meeting minutes of June 16, 2020 as presented. The motion carried unanimously (7-0).

PUBLIC COMMENTS

There were none.

CONSENT AGENDA

MOTION: Councilor Swanson moved and Councilor Lamb seconded the motion to adopt the Consent Agenda of July 7, 2020, approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 20-38, Authorizing the Payment of Bills and Payroll
- b. Appointment of 2020 Election Judges

PUBLIC HEARINGS

There were none.

PRESENTATIONS

There were none.

APPOINTMENT OF DETECTIVE – SATHER

MOTION: Councilor Lamb moved and Councilor Kolodge seconded the motion to appoint Officer Kristina Sather to the position of Detective effective July 13, 2020. The motion carried unanimously (7-0).

SET PUBLIC HEARING DATE ON PROPOSED FINAL ASSESSMENT FOR THE IMPROVEMENT OF PINE TREE PLAZA FRONTAGE ROAD AND AREA UTILITIES

MOTION Councilor Wilkinson moved and Councilor Swanson seconded the motion to adopt **RESOLUTION NO. 20-39, SETTING PUBLIC HEARING DATE ON PROPOSED FINAL ASSESSMENTS FOR THE IMPROVEMENT OF PINE TREE PLAZA FRONTAGE ROAD AND AREA UTILITIES.** The motion carried unanimously (7-0).

WHEREAS, The City made plans to reconstruct Pinetree Plaza Frontage Road and area utilities as part of the City's 5-Year Capital Improvement Program (CIP) and approved budget for 2019; and

WHEREAS, The Cloquet City Council on December 18, 2018, held a public hearing to consider the improvement; and

WHEREAS, Said improvement was subsequently ordered and completed and the City has prepared a proposed assessment roll which is available in the office of the City Administrator for public inspection.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA:

1. A hearing shall be held on August 5, 2020 in the City Council Chambers at 7:00 p.m. to pass upon such proposed assessments and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published in the official newspaper as required by Minnesota Statutes and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll as required by Minnesota Statutes.

AWARDING BID FOR THE PROPOSED PINE VALLEY ARENA IMPROVEMENTS

MOTION: Councilor Carlson moved and Councilor Swanson seconded the motion to adopt **RESOLUTION NO. 20-37, AWARDING BID FOR THE PROPOSED PINE VALLEY ARENA IMPROVEMENTS.** The motion carried (6-1), Councilor Langley opposed.

WHEREAS, City Council previously entered a professional services and construction management contract with McKinstry Essention, LLC for 2020 ice arena repairs.

AND WHEREAS, The City of Cloquet advertised and received the following bids for Pine Valley Arena Improvements:

No.	Bidder	Ice Plant and Floor Bid
1	Commercial Refrigeration	\$ 480,699.00
	Engineer's Estimate	\$ 619,650.00

AND WHEREAS, The apparent low bid from Commercial Refrigeration was found to meet the minimum bid requirements.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the bid from Commercial Refrigeration in the amount of \$480,669.00 is hereby accepted.

WATER TREATMENT PLANT CHANGE ORDER #4

MOTION: Councilor Kolodge moved and Councilor Lamb seconded the motion to approve Change Order No. 4 to the water treatment plant construction contract. The motion carried unanimously (7-0).

PUBLIC WORKS TRAILER PURCHASES

MOTION: Councilor Swanson moved and Councilor Carlson seconded the motion to authorize the purchase of one 16-ton equipment trailer and one 40-ton equipment trailer from Titan Machinery in the total amount of \$45,542.80. The motion carried unanimously (7-0).

LIBRARY ADDITION CHANGE ORDER #4

MOTION: Councilor Lamb moved and Councilor Swanson seconded the motion to approve Change Order #4 to the City contract with Boldt Construction for furniture removal/installation related to construction, to add hand dryer to family restroom and manpower impacts due to COVID-19. The motion carried unanimously (7-0).

CARES ACT DISCUSSION

City Administrator Peterson stated that the City has received the CARES Act funding in the amount of approximately \$930,000. Staff attended a training on appropriate uses for the funding and based on that training, Mr. Peterson feels it is necessary to prepare for any potential cuts to LGA due to any state deficit that may come and could be passed on to cities in the form of LGA cuts which could lead to city property tax increase or staff cuts. Staff will continue to research other potential uses for the funding.

COVID 19 UPDATE

City Administrator Peterson indicated there no significant changes to report. City Hall staff has adjusted to meeting citizens in the lobby area and there continues to be just one entrance available.

Discussion on when and how to open meetings back up to the public. Mr. Peterson stated the importance of community members being able to talk to Council members in a regular manner. Councilor Lamb stated

she is not in favor of opening meetings yet and would rather error on the side of caution to protect citizens. Mayor Maki stated he is ok if others would like to come to meetings but he is not comfortable with it. Councilors discussed face mask mandate being put into place. Councilor Lamb supports such a mandate and would like to have community involvement in providing masks for small businesses. Mr. Peterson will research what other communities are passing for requirements but also commented on how difficult it was to uphold and monitor the prior orders issued by the governor, this would also be difficult to monitor.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

Councilor Kolodge inquired on the schedule of the 2020 budget discussions. Administrator Peterson indicated staff will be meeting towards the end of July to go over the budget internally and then begin Council budget discussions at the August 5th Council meeting and continue through the September Council meetings.

Councilor Kolodge gave a shout-out to Parks Department employee Karin Stedman, acknowledging an article about her in the Woman Today magazine and thanking her for doing extra to help keep the City looking good.

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

Tim Peterson, City Administrator



ADMINISTRATIVE OFFICES

101 14th Street Cloquet, MN 55720-1903
Phone: 218.879.3347 Fax: 218.879.6555
www.cloquetmn.gov

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council *MLL*
From: Mary Kay Hohensee-Mayer, Assistant Finance Director
Reviewed/Approved by: Tim Peterson, City Administrator
Date: July 21, 2020

ITEM DESCRIPTION: Payment of Bills

Proposed Action

Staff recommends the Council move to adopt **RESOLUTION NO. 20-44, A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS.**

Background/Overview

Statutory Cities are required to have most claims authorized by the city council.

Policy Objectives

MN State Statute sections 412.271, Claims and disbursements for Statutory Cities.

Financial/Budget/Grant Considerations

See resolution for amounts charged to each individual fund.

Advisory Committee/Commission Action

Not applicable.

Supporting Documents Attached

- a. Resolution Authorizing the Payment of Bills.
- b. Vendor Summary Report.
- c. Department Summary Report.

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

RESOLUTION NO. 20-44

A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

WHEREAS, The City has various bills each month that require payment.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the bills be paid and charged to the following funds:

101	General Fund	\$	124,218.34
202	Federal CDBG Loan (EDA)		46.00
206	Revolving SCDP (EDAA)		32,125.00
221	TIF #2-2 14th Street Apartments		11,316.76
222	TIF #2-1 Oakwood Estates		26,811.46
223	TIF #4-1 Patio Homes		18,896.48
231	Public Works Reserve		640.00
370	Swim Pond Debt Sevice		8,961.25
372	City Sales Tax Debt Service		102,157.50
374	Facilities Bond Debt Service		25,329.17
403	Revolving Capital Projects		352,518.42
405	City Sales Tax Capital		509,998.91
600	Water - Lake Superior Waterline		90,843.09
601	Water - In Town System		27,883.10
602	Sewer Fund		6,149.08
605	Stormwater Fund		24.47
614	CAT-7		1,368.32
	TOTAL:	\$	<u>1,339,287.35</u>

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 21ST DAY OF JULY, 2020.**

ATTEST:

Roger Maki, Mayor

Tim Peterson, City Administrator

DATE: 07/15/2020
TIME: 16:41:04
ID: AP442000.WOW

CITY OF CLOQUET
VENDOR SUMMARY REPORT

PAGE: 1

INVOICES DUE ON/BEFORE 07/21/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
110250	AEOA SENIOR SERVICES	0.00	276.63
111350	LEXISNEXIS RISK DATA MNGMT INC	1,050.00	150.00
112050	ADVANCED SERVICES INC	3,172.00	1,188.00
112650	AJ'S LAWN CARE, INC	3,080.00	1,845.00
116975	AMI CONSULTING ENGINEERS PA	0.00	9,760.00
119700	ARROWHEAD CONCRETE WORKS, INC.	998.55	171.76
121000	ARROWHEAD SPRINGS INC	750.45	124.00
121250	THE JAMAR COMPANY	146.60	189.00
121350	ASPEN MILLS	5,338.05	147.36
122000	A T & T MOBILITY	7,084.08	151.60
125700	BEST OIL COMPANY	69,407.81	5,718.31
127400	OSCAR J BOLDT CONSTRUCTION	1,236,445.22	345,109.42
128900	BROCK WHITE	399.76	451.50
132375	CAMPBELL KNUTSON	3,476.25	165.00
134300	CARLTON COUNTY RECORDER	201.00	50.00
134800	CARLTON COUNTY TREASURER	406.20	46.30
139025	CINTAS	2,325.26	46.50
139030	CINTAS CORPORATION NO 2	5,167.47	1,222.72
142800	CLOQUET SANITARY SERVICE	7,585.93	1,763.10
144600	COMMERCIAL ROOFING	0.00	32,125.00
145300	COMMUNITY PRINTING	5,004.10	505.00
145500	COMPENSATION CONSULTANTS, LTD	1,942.00	207.00
147050	CONSOLIDATED TELEPHONE COMPANY	22,754.91	3,237.44
147600	EXELON CORPORATION	10,646.50	1,206.71
147900	COUNTRY CLUB PATIO HOMES, LLC	18,799.68	17,006.83
150100	D A L C O	11,079.55	1,451.78
153300	DIAMOND DRILLING	744.00	59.94
156400	CITY OF DULUTH COMFORT SYSTEMS	475.01	66.83
156600	DULUTH LAWN & SPORTS, INC.	270.63	228.94
157300	DULUTH READY MIX INC	0.00	1,633.06
160600	EHLERS & ASSOCIATES, INC.	17,795.00	5,000.00
162640	ENVENTIS TELECOM INC	289.22	43.32
165375	FERGUSON WATERWORKS #2516	16,597.27	2,462.74
168100	BDG INC	523.00	506.95
169955	14TH STREET APARTMENTS	10,185.71	10,185.08
175200	GOPHER STATE ONE CALL INC	582.30	280.80
175700	GRAINGER	3,242.78	84.05
178500	GUARDIAN PEST SOLUTIONS INC	283.50	47.25
179340	HAGENS GLASS & PAINT	3,739.36	886.00
180500	HAWKINS INC	38,794.06	1,667.43
181500	HERMANTOWN HYDRAULICS	49.45	61.04
186500	INDEPENDENT SCHOOL DISTRICT 94	37,545.00	18,772.50
192225	JOBSHQ	3,352.70	3,664.06
195700	KGM CONTRACTORS INC	12,398.74	4,185.65

DATE: 07/15/2020
TIME: 16:41:05
ID: AP442000.WOW

CITY OF CLOQUET
VENDOR SUMMARY REPORT

PAGE: 3

INVOICES DUE ON/BEFORE 07/21/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
290975	WISCONSIN CENTRAL	0.00	50.00
293700	ZIEGLER INC	4,122.07	378.26
R0001284	OFFICE OF MN IT SERVICES	259.00	37.00
R0001548	MINIT MART 557	360.00	160.00
R0001725	SERENITY FARM DOG BOARDING	60.00	120.00
R0001873	BAKER TILLY VIRCHOW KRAUSE,LLP	15,506.54	16,100.00
R0001933	ALECIA SABERS	0.00	375.00
TOTAL ALL VENDORS:			1,139,874.76

City of Cloquet
Vendor Summary Report Reconciliation
Invoices Due On/Before 7/21/2020

Total	1,139,874.76
Less:	
Library	(833.15)
Cloquet Area Fire District	<u>(1,944.22)</u>
Total City Bills	1,137,097.39
Less:	
Payroll benefits	(54,300.48)
Plus:	
Credit card/PSN fees	2,138.97
Debt Service Wires	136,447.92
MN Energy Auto Pay	2,387.93
MN Power Auto Pay	114,326.63
MN Sales Tax	1,188.99
Total Bills	<u><u>1,339,287.35</u></u>

DATE: 07/15/20
 TIME: 16:41:57
 ID: AP443000.WOW

CITY OF CLOQUET
 DEPARTMENT SUMMARY REPORT

PAGE: 1

INVOICES DUE ON/BEFORE 07/21/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
00			
222275	MN PEIP	334,924.32	54,300.48
			54,300.48
32	LICENSES & PERMITS		
286900	W L S S D	586,517.50	6,316.80
	LICENSES & PERMITS		6,316.80
34	CHARGES FOR SERVICES		
142800	CLOQUET SANITARY SERVICE	7,585.93	270.87
R0001933	ALECIA SABERS		375.00
	CHARGES FOR SERVICES		645.87
39	OTHER FINANCING SOURCES		
147900	COUNTRY CLUB PATIO HOMES, LLC	18,799.68	-1,889.65
169955	14TH STREET APARTMENTS	10,185.71	-1,131.68
238925	OAKWOOD ESTATES LLC	23,731.42	-2,681.15
	OTHER FINANCING SOURCES		-5,702.48
41	GENERAL GOVERNMENT		
132375	CAMPBELL KNUTSON	3,476.25	165.00
139030	CINTAS CORPORATION NO 2	5,167.47	92.35
142800	CLOQUET SANITARY SERVICE	7,585.93	70.62
145500	COMPENSATION CONSULTANTS, LTD	1,942.00	207.00
147050	CONSOLIDATED TELEPHONE COMPANY	22,754.91	410.99
150100	D A L C O	11,079.55	297.45
234600	NORTHERN BUSINESS PRODUCTS	3,393.60	54.53
270200	SUPERIOR COMPUTER PRODUCTS INC	92,858.59	5,944.00
278600	TWIN PORT MAILING	26,235.55	143.81
279100	U S BANK EQUIPMENT FINANCE	4,566.60	65.79
289015	WELLS FARGO CREDIT CARD	49,459.27	1,556.96
290875	WIPFLI CPAs AND CONSULTANTS	9,000.00	2,813.00
R0001873	BAKER TILLY VIRCHOW KRAUSE,LLP	15,506.54	16,100.00
	GENERAL GOVERNMENT		27,921.50

DATE: 07/15/20
TIME: 16:41:57
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 3

INVOICES DUE ON/BEFORE 07/21/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
43	PUBLIC WORKS		
205050	LOFFLER COMPANIES INC	409.59	8.29
212700	MID-STATE TRUCK SERVICE INC	1,968.83	167.27
229500	NAPA AUTO PARTS	5,757.83	445.51
234600	NORTHERN BUSINESS PRODUCTS	3,393.60	33.63
236100	NORTHLAND CONSTRUCTORS	80,598.09	1,935.20
247400	396-PRAXAIR DISTRIBUTION, INC.	5,606.77	122.19
264820	THE SMITH COMPANY INC	3,486.60	3,486.60
265250	SNAP ON TOOLS	1,328.00	246.74
272600	TERMINAL SUPPLY INC	1,248.20	83.31
276430	TRAFFIC MARKING SERVICE, INC		4,670.66
278600	TWIN PORT MAILING	26,235.55	41.09
279100	U S BANK EQUIPMENT FINANCE	4,566.60	43.25
289015	WELLS FARGO CREDIT CARD	49,459.27	-25.00
293700	ZIEGLER INC	4,122.07	378.26
	PUBLIC WORKS		20,189.31
45	CULTURE AND RECREATION		
110250	AEOA SENIOR SERVICES		276.63
112050	ADVANCED SERVICES INC	3,172.00	1,188.00
112650	AJ'S LAWCARE, INC	3,080.00	1,845.00
125700	BEST OIL COMPANY	69,407.81	514.65
134800	CARLTON COUNTY TREASURER	406.20	46.30
139030	CINTAS CORPORATION NO 2	5,167.47	74.40
142800	CLOQUET SANITARY SERVICE	7,585.93	1,181.65
147050	CONSOLIDATED TELEPHONE COMPANY	22,754.91	613.74
147600	EXELON CORPORATION	10,646.50	1,206.71
150100	D A L C O	11,079.55	1,154.33
156600	DULUTH LAWN & SPORTS, INC.	270.63	228.94
178500	GUARDIAN PEST SOLUTIONS INC	283.50	47.25
179340	HAGENS GLASS & PAINT	3,739.36	886.00
186500	INDEPENDENT SCHOOL DISTRICT 94	37,545.00	18,772.50
197800	L & M SUPPLY CO	12,464.49	866.56
211400	MENARDS INC	2,305.43	155.88
227750	MTI DISTRIBUTING, INC.	979.14	230.88
229500	NAPA AUTO PARTS	5,757.83	375.82
235800	NORTHLAND AUTO PARTS	330.89	56.23
248125	PROCTOR BUILDERS		290.00
260500	SCHINDLER ELEVATOR CORPORATION	2,959.38	816.42
283700	USA BLUEBOOK	2,926.75	50.41
289015	WELLS FARGO CREDIT CARD	49,459.27	297.88
	CULTURE AND RECREATION		31,176.18

DATE: 07/15/20
TIME: 16:41:57
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 5

INVOICES DUE ON/BEFORE 07/21/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

TIF#2-2	14TH STREET APARTMENTS		
98	OTHER FINANCING USES		
169955	14TH STREET APARTMENTS	10,185.71	1,131.68
	OTHER FINANCING USES		1,131.68
TIF #2-1 - OAKWOOD ESTATES			
70	TAX INCREMENT DISTRICT		
238925	OAKWOOD ESTATES LLC	23,731.42	24,130.31
	TAX INCREMENT DISTRICT		24,130.31
98	OTHER FINANCING USES		
238925	OAKWOOD ESTATES LLC	23,731.42	2,681.15
	OTHER FINANCING USES		2,681.15
TIF #4-1 PATIO HOMES			
70	TAX INCREMENT DISTRICT		
147900	COUNTRY CLUB PATIO HOMES, LLC	18,799.68	17,006.83
	TAX INCREMENT DISTRICT		17,006.83
98	OTHER FINANCING USES		
147900	COUNTRY CLUB PATIO HOMES, LLC	18,799.68	1,889.65
	OTHER FINANCING USES		1,889.65
PUBLIC WORKS RESERVE			
41	GENERAL GOVERNMENT		
270200	SUPERIOR COMPUTER PRODUCTS INC	92,858.59	640.00
	GENERAL GOVERNMENT		640.00

CAPITAL PROJECTS - REVOLVING

DATE: 07/15/20
TIME: 16:41:57
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 7

INVOICES DUE ON/BEFORE 07/21/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER - LAKE SUPERIOR WATERLIN			
52	LAKE SUPERIOR WATERLINE		
125700	BEST OIL COMPANY	69,407.81	228.73
139030	CINTAS CORPORATION NO 2	5,167.47	82.07
197800	L & M SUPPLY CO	12,464.49	45.41
290875	WIPFLI CPAs AND CONSULTANTS	9,000.00	1,889.00
290975	WISCONSIN CENTRAL		50.00
	LAKE SUPERIOR WATERLINE		2,295.21
57	ADMINISTRATION		
156400	CITY OF DULUTH COMFORT SYSTEMS	475.01	66.83
205050	LOFFLER COMPANIES INC	409.59	8.29
	ADMINISTRATION		75.12
WATER - IN TOWN SYSTEM			
49	CLOQUET		
121250	THE JAMAR COMPANY	146.60	189.00
125700	BEST OIL COMPANY	69,407.81	285.92
139025	CINTAS	2,325.26	9.76
139030	CINTAS CORPORATION NO 2	5,167.47	69.46
157300	DULUTH READY MIX INC		1,633.06
175700	GRAINGER	3,242.78	84.05
195700	KGM CONTRACTORS INC	12,398.74	431.42
197800	L & M SUPPLY CO	12,464.49	90.82
202100	LAWSON PRODUCTS INC	2,944.89	156.16
211400	MENARDS INC	2,305.43	55.96
211645	METERING & TECHNOLOGY SOLUTION	1,018.74	1,573.56
229500	NAPA AUTO PARTS	5,757.83	12.15
247400	396-PRAXAIR DISTRIBUTION, INC.	5,606.77	73.31
261750	SEELYE PLASTICS, INC.	149.76	33.35
261800	SEH	92,350.16	4,763.25
280400	ULLAND BROTHERS, INC.	131,382.55	2,160.01
283700	USA BLUEBOOK	2,926.75	798.02
	CLOQUET		12,419.26
54	BILLING & COLLECTION		
234600	NORTHERN BUSINESS PRODUCTS	3,393.60	64.29

DATE: 07/15/20
TIME: 16:41:57
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 9

INVOICES DUE ON/BEFORE 07/21/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

ENTERPRISE FUND - SEWER			
57	ADMINISTRATION & GENERAL		
142800	CLOQUET SANITARY SERVICE	7,585.93	33.87
147050	CONSOLIDATED TELEPHONE COMPANY	22,754.91	175.62
175200	GOPHER STATE ONE CALL INC	582.30	56.16
205050	LOFFLER COMPANIES INC	409.59	8.29
234600	NORTHERN BUSINESS PRODUCTS	3,393.60	33.63
278600	TWIN PORT MAILING	26,235.55	41.09
279100	U S BANK EQUIPMENT FINANCE	4,566.60	43.24
290875	WIPFLI CPAs AND CONSULTANTS	9,000.00	2,099.00
	ADMINISTRATION & GENERAL		2,490.90
STORM WATER UTILITY			
57	ADMINISTRATION & GENERAL		
205050	LOFFLER COMPANIES INC	409.59	8.30
289015	WELLS FARGO CREDIT CARD	49,459.27	16.17
	ADMINISTRATION & GENERAL		24.47
CABLE TELEVISION			
45	CULTURE AND RECREATION		
162640	ENVENTIS TELECOM INC	289.22	43.32
270300	SWAGIT PRODUCTIONS, LLC	7,950.00	1,325.00
	CULTURE AND RECREATION		1,368.32
CLOQUET AREA FIRE DISTRICT			
42	PUBLIC SAFETY		
125700	BEST OIL COMPANY	69,407.81	1,944.22
	PUBLIC SAFETY		1,944.22
	TOTAL ALL DEPARTMENTS		1,139,874.76



ADMINISTRATIVE OFFICES

101 14th Street Cloquet, MN 55720-1903
Phone: 218.879.3347 Fax: 218.879.6555
www.cloquetmn.gov

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Tim Peterson, City Administrator *TP*
Date: July 21, 2020

ITEM DESCRIPTION: Disposal of Surplus Equipment

Proposed Action

Staff recommends the City Council move to authorize the sale of listed surplus equipment.

Background/Overview

The Friends of Library and Library Board have purchased many items to replace and fill the newly expanded library. Many purchased items replaced outdated equipment that no longer serves the need of the library staff. Because of this, these attached list of items can be auctioned off and the funds returned to the library department.

Policy Objectives

To dispose of surplus equipment in accordance with State Statute.

Financial/Budget/Grant Considerations

It has been determined that it is no longer financially feasible to maintain these items in inventory or they are no longer needed by the City. This surplus equipment does have some salvage value and this money would be returned to the Library department fund accounts.

Advisory Committee/Commission Action

None.

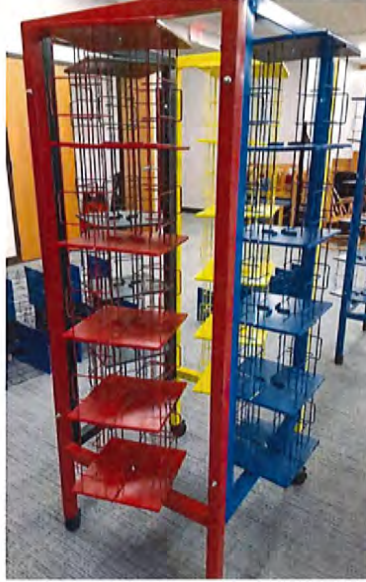
Supporting Documentation Attached

- Surplus Equipment Listing

Items available at the Cloquet Public Library



DVD 4-spinner unit
65" h x 28" d x 25" w



DVD 4-spinner unit
65" h x 28" d x 25" w



DVD 4-spinner unit
65" h x 28" d x 25" w



DVD spinner unit
4 available
62" h x 17" d x 11" w



Red plush seating
60" diameter; 17" high



Metal magazine rack
30 1/2" h x 17" d x 36 1/2" w



Wooden 2-sided bookcase with top bins

36" h x 28" d x 35 1/4" w



Wooden chairs

10 available (4 black,

3 green, 3 blue)

31" h x 17" d x 16" w



Metal stacking chairs

41 available; 2 wheeled carts

31" h x 17" d x 19" w



Plastic magazine boxes

20 available



Metal magazine boxes

16 available



ADMINISTRATIVE OFFICES

101 14th Street Cloquet, MN 55720-1903
Phone: 218.879.3347 Fax: 218.879.6555
www.cloquetmn.gov

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Tim Peterson, City Administrator *TCP*
Date: July 21, 2020

ITEM DESCRIPTION: Approval of New Therapeutic Massage Therapist License

Proposed Action

Staff recommends the City Council move to approve the Therapeutic Massage Therapist license for Aine O’Leary, effective July 22, 2020.

Background/Overview

The City has received an application from Aine O’Leary for a new Therapeutic Massage Therapist license. Ms. O’Leary will be operating at Cailin Deas, 1005 Cloquet Avenue.

Policy Objectives

Approval of a Therapeutic Massage Therapist license is required under Section 6.9 of the Municipal Code. There is no limit on the number of licenses issued in any one year. Ms. O’Leary has submitted the appropriate paperwork and a background check has been completed.

Financial/Budget/Grant Considerations

The City’s fee schedule requires a \$50 fee for the therapist license and \$100 for the background check. The applicant has paid all fees.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Application

**CITY ADMINISTRATOR'S OFFICE**

1307 Cloquet Avenue, Cloquet MN 55720
 Phone: 218-879-3347 Fax: 218-879-6555
 www.ci.cloquet.mn.us
 email: djohnson@ci.cloquet.mn.us

APPLICATION FOR THERAPEUTIC MASSAGE THERAPIST LICENSE

This application, all required documentation and fees must be submitted by any person desiring to obtain a license to practice therapeutic massage within the City of Cloquet, MN.

APPLICANT INFORMATION		
Name: First Aine	Full Middle Colleen	Last O'Leary
Current Address: Street / City / State / Zip Code Cloquet, MN 55720		
E-mail address: (If applicable)		
Home Phone:	Cell Phone:	Work Phone:
Date of Birth:		Social Security Number:

BUSINESS INFORMATION	
Business where Massage Therapy Services will be conducted: <input checked="" type="checkbox"/> Business <input type="checkbox"/> *Residence	
*A Therapeutic Massage Therapist License will only be issued to a person at a residence which is properly zoned and/or meets the zoning requirements for such location as may be required by the City. For zoning verification, contact the Cloquet Zoning Department at (218) 879-2507 prior to submitting your application.	
Business Name: Caitlin Deas	Manager of Business: Sheryl O'Leary
Business Street Address: 1005 Cloquet Ave. Cloquet, MN 55720	
Phone Number: 218-879-5044	Alternate Number:
Owner of Business: Sheryl O'Leary	
Owner's Residence Address: Street / City / State / Zip Code 522 Carlton Ave W. Cloquet, MN 55720	
Home Phone:	Work Phone: 218-879-5044
E-mail address: (If applicable) CaitlinDeascmn@aol.com	
Property Parcel ID Number:	Property Complete Legal Description:

FINANCIAL INFORMATION	
Real Estate Taxes on property to be licensed are:	<input checked="" type="checkbox"/> Paid current <input type="checkbox"/> Delinquent
Are there any financial claims to the City of Cloquet owed by the applicant /property owner?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If there are current financial claims owed to the City of Cloquet, please state the amount(s) and type of claim:		
Responsible Party:	Amount:	Type of claim (i.e., utilities, etc.)
Responsible Party:	Amount:	Type of claim (i.e., utilities, etc.)

ADDITIONAL INFORMATION
(attach additional sheets as necessary)

Have you ever applied for or held a license to conduct a similar activity in any other City or State? Yes No
 If yes, please provide details; description, date and location:

Have you ever been denied a license to conduct a similar or like activity or had such licenses suspended, revoked or canceled in any City/State, including Cloquet? Yes No
 If yes, please provide details; description, date and location:

List all names, nicknames and aliases by which you have been known:
 Aime

List addresses at which you have lived during the preceding five years. Begin with present or last address and work back.
 Attach additional sheets if necessary.

Street / City / State / Zip Code
 Cloquet, MN 55720

Dates at Address:
 April 7 2020 to Present

Street / City / State / Zip Code
 211 39th Ave E, Superior, WI 54880

Dates at Address:
 August 2018 to April 2020

Name, location and type of every business or occupation you have been engaged in during the preceding five years. Begin with present or last occupation and work back. Attach additional sheets if necessary.

Business or Occupation:
 massage therapist @ the Well

City / State / Zip Code
 Duluth, MN 55811

Dates at Address:
 June 2019 to July 2020

Business or Occupation:
 T.L.C of Duluth, ILS specialist

City / State / Zip Code
 Duluth, MN 55802

Dates at Address:
 Dec. 2018 to Present

Business or Occupation:
 Bellisios, ~~FE~~ Server

City / State / Zip Code
 Duluth, MN 55802

Dates at Address:
 May 2017 to May 2018

Please provide the names and addresses of your employers and partners, if any, for the preceding five years. Begin with present or last occupation and work back. Attach additional sheets if necessary.

Employer or Partner:

TLC of Duluth

Street / City / State / Zip Code

394 S. Lake Ave. Suite 610 Duluth, MN 55802

Dates:

Dec 2018 to Present

Employer or Partner:

The Well

Street / City / State / Zip Code

5008 Matterhorn Dr. Duluth, MN 55811

Dates:

June 2019 to July 2020

Have you ever been convicted of any felony, crime or violation of any ordinance, other than traffic?

Yes

No

If yes, give information as to the date, place, and offense for each conviction. Also, specifically state if any such conviction was a felony offense or involved any allegations of physical assault or sexual misconduct.

List the names, residences, and business addresses of three residents of Carlton County, of good moral character, not related to the applicant or financially interested in the premises or business, who may be referred to as to the applicant's character.

Name:

Shelly Harder

Residence Address:

Carlton, MN 55718

Business Address:

Phone Number:

Name:

Barb Kallberg

Residence Address:

Business Address:

Phone Number:

Name:

Ranell + Robbie Meseroll

Residence Address:

Business Address:

Phone Number:

I HEREBY UNDERSTAND AND AGREE THAT:

1. Information revealed herein for a Therapeutic Massage Therapist License in the City of Cloquet will be handled by the City in accordance with federal and state laws regarding privacy of criminal records.
2. A criminal conviction will not bar an applicant from obtaining a Therapeutic Massage Therapist License with the City of Cloquet unless such conviction is directly related to the occupation for which the license is sought, according to Minnesota Statutes §364.03.
3. Failure to reveal a criminal conviction will be considered falsification of the application and may be used as grounds for denial of the license.

(I) do hereby swear that I have submitted all of the required documentation as listed above and that the answers in this application are true and correct to the best of my knowledge. I do authorize the City of Cloquet, its agents, and employees, to obtain any necessary information and to conduct an investigation, if necessary, into the truth of the statements set forth in this application and my qualifications for this license. I do understand that providing false information shall be grounds for denial of my license.



 Signature of Applicant

07/15/2020

 Date

Print Name Aine Colleen O'Leary
 First Middle Last

SEND FUTURE APPLICATION RENEWALS TO:

Residence Address

Business Address

FOR CITY USE ONLY: (When applicable)				
	Signature:	Approved:	Denied:	Date:
Planning:				
Police Chief:				
Fire Dept.:				
Finance Director:				
City Administrator:				

State Superior College



A member of Minnesota State

Has awarded to


Aime Colleen O'Leary
the

Diploma
Massage Therapist

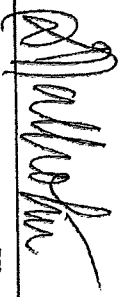
with all the honors, rights, and privileges thereto appertaining.


Given upon recommendation of the Faculty and by authority of the Board of Trustees
of the Minnesota State Colleges and Universities, at Duluth, Minnesota.

In the month of May, 2019


Minnesota State Colleges and Universities
Chair Board of Trustees




Minnesota State
Chancellor


State Superior College
President

ORDINANCE NO. 489A

AN EMERGENCY ORDINANCE TO CREATE SECTION 4.10 OF THE MUNICIPAL CODE
REQUIRING FACE COVERINGS WITHIN INDOOR SPACES
OF PUBLIC ACCOMMODATION

THE CITY COUNCIL OF THE CITY OF CLOQUET HEREBY ORDAINS:

Section 1. That Section 4.10 of the Municipal Code be created and read as follows:

Section 4.10: Requirement of Face Coverings Within Indoor Spaces of Public Accommodation

4.10.01 Face Covering Requirement - Purpose

- (a) Face coverings are a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the face covering coughs, sneezes, talks, or raises their voice. This is called source control.
- (b) Respiratory droplets spread the virus that causes COVID-19 and recent evidence from clinical and laboratory studies show face coverings reduce the spray of droplets when worn over the nose and mouth.
- (c) COVID-19 spreads mainly among people who are in close contact with one another (within about 6 feet), so the use of face coverings is particularly important in settings where people are close to each other or where social distancing is difficult to maintain.
- (d) Social distancing is difficult to maintain while indoors at business establishments.

4.10.02 Definitions.

For the purposes of this Section, the following words and phrases shall mean:

- (a) A Space of Public Accommodation means a business, or an educational, refreshment, entertainment, or recreation facility, or public transportation, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Examples include retail stores, rental establishments, public transportation, facilities, and bus shelters, government buildings, places of worship, and service establishments as well as educational institutions, recreational facilities, and service centers.
- (b) Face Covering means wearing a face mask, face shield, N95 respirator, neck gaiter, or fitted piece of material that:
 - (1) Covers the mouth and nose;
 - (2) Fits snugly against the side of the face; and
 - (3) Is secured on the face.

4.10.03 Face Covering Required Indoors.

- (a) A Space of Public Accommodation Shall Require Face Coverings Indoors. It shall be unlawful for a Space of Public Accommodation to allow a person to enter or remain indoors their Space of Public Accommodation without wearing a Face Covering.
- (b) Face Covering Required Indoors a Space of Public Accommodation. It shall be unlawful for a person to enter or remain indoors a Space of Public Accommodation without wearing a Face Covering.
- (c) Required Notices. Spaces of Public Accommodation shall post notice of this Face Covering requirement in conspicuous locations inside and outside entrances to their Space of Public Accommodation.

- (d) Exceptions. Sections (a)-(c) shall not apply to:
- (1) Persons under the age of ten years old;
 - (2) Persons unable to wear Face Coverings for medical reasons;
 - (3) Persons in a private room of a multi-tenant residence, such as an apartment building, or lodging establishment, such as a hotel, motel, or vacation rental. Face Coverings must be worn in all indoor common areas of said establishments;
 - (4) Business patrons who are actively eating and/or drinking provided that all individuals wear a Face Covering when walking to or from their seat and while standing in or walking through public areas such as lobbies and restrooms;
 - (5) Business owners, managers, and employees who are in an area of a business establishment that is not open to customers, patrons, or the public, provided that six feet of distance exist between persons;
 - (6) Education and child care facilities with written plans in compliance with state guidelines;
 - (7) Fitness facilities with written plans in compliance with state guidelines;
 - (8) In settings where it is not feasible to wear a Face Covering, including when obtaining or rendering goods or services such as the receipt of medical or dental services, swimming, or while actively participating in organized athletic competitions or practices; and
 - (9) Police officers, fire fighters and other first responders when not practical or engaged in a public safety matter.

4.10.04 Violations- Penalties

- (a) Violations of this Section 4.10 by Spaces of Public Accommodation are punishable by one or more of the following:
- (1) Issuance of warning letter(s);
 - (2) Fines not to exceed those set in accordance with Section 7.1.02 of this Code and a fine as provided in Section 15.1 of this Code for first and second offenses; and/or
 - (3) Misdemeanor criminal prosecution pursuant to Minnesota Statutes Section 12.45.
- (b) Violations of this Section 4.10 by persons are punishable by one or more of the following:
- (1) Civil trespass from the Space of Public Accommodation;
 - (2) Fines not to exceed those set in accordance with Section 7.1.02 of this Code and a fine as provided in Section 15.1 of this Code for first and second offenses; and/or
 - (3) Criminal prosecution, if applicable, for criminal trespass in violation of Minnesota Statutes Section 609.605.

4.10.05 Duration and Severability

(a) In the event that the State of Minnesota Governor Tim Walz ends his Declaration of Local Emergency related to COVID-19 pursuant to Minnesota Statutes Section 12.29, this entire Section 4.10 shall become null and void.

(b) In the event any provision of this Section 4.10 is preempted by executive order of State of Minnesota Governor Timothy Walz, those provisions of Section 4.10 shall become null and void.

Section 2. Effective Date. This Ordinance shall take effect and be in force immediately upon adoption and passage by the City Council due to the current health emergency.

Passed this 21st day of July 2020.

CITY OF CLOQUET

By: _____
Its Mayor

ATTEST:

Its City Administrator

Published this _____ day of _____, 2020.

RESOLUTION NO. 20-46

A RESOLUTION AUTHORIZING THE PUBLICATION OF A SUMMARY OF ORDINANCE NO. 489A, AN ORDINANCE CREATING SECTION 4.10 OF THE MUNICIPAL CODE REQUIRING FACE COVERINGS WITHIN INDOOR SPACES OF PUBLIC ACCOMMODATION

On July 21, 2020, at its regular City Council meeting, the City of Cloquet adopted Ordinance 489A. The purpose of the Ordinance is to create Section 4.10 requiring face coverings within indoor spaces of public accommodation.

The specific title of the Ordinance adopted is “An Emergency Ordinance to Create Section 4.10 of the Municipal Code Requiring Face Coverings Within Indoor Spaces of Public Accommodation”.

The purpose of the new Ordinance is to require face coverings in spaces of public accommodation where social distancing is difficult to maintain, to prevent respiratory droplets from traveling into the air and onto other people when the person wearing the face covering coughs, sneezes, talks or raises their voice, helping to prevent the spread of COVID-19.

The full Ordinance is available to the public at the City Clerk’s Office during regular office hours.

Passed by the Council of the City of Cloquet on this 21st day of July 2020.

CITY OF CLOQUET

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator

Published in the Pine Knot News this ____ day of _____, 2020.



City of Cloquet
101 14th ST • Cloquet MN 55720
Phone: 218-879-3347 • Fax: 218-879-6555

To: Mayor and Cloquet City Council
From: Caleb Peterson, City Engineer;
Holly Hansen, Community Development Director
Reviewed By: Tim Peterson, City Administrator *TP*
Date: July 21, 2020

ITEM DESCRIPTION: MNDOT Review of the Transportation and Economic Development (TED) Program to Construct Reduced Conflict Intersection Improvements in the Vicinity of Gillette Road

Background

With the pending new construction proposed for the Cloquet Essentia Clinic, which will create 15 new positions 2020, and other properties poised for sale, the City of Cloquet applied for Transportation Economic Development (TED) Program grant funding program to implement improvements on State Highway 33. The TED program requires local communities to match 30% of a project to leverage 70% grant funding from MnDOT to “initiate” an improvement on a state highway sooner than MnDOT would otherwise move forward to improve, based on local development pressure and traffic safety needs. The MnDOT TED Program provides competitive funding awards to construction projects on state highways that provide measurable economic benefits which may be local, regional or statewide in geographic scale. This proposed project was identified in the City of Cloquet’s 2018 Intersection Control Evaluation Study of the South Hwy 33 corridor.

In September 2019 the Council passed Resolution 19-66 in support of the Transportation Economic Development (TED) grant application for this project committing \$285,000 in City local option sales tax funding to leverage \$665,000 in MnDOT TED grant funding to support the implementation of constructing reduced conflict intersection improvements on South Hwy 33 (total construction cost \$950,000). The application included letters of support from MCCU and Essentia. The TED program provides funding for up to 70% of the total transportation infrastructure cost of the project. In the application, MnDOT District 1 financially, and staff time committed to the design and construction administration costs of the project, a contribution of \$237,500 (at 25% of this construction request). In December 2019, the City of Cloquet was notified that this project was awarded TED grant funding.

MnDOT has now begun design administration and attached the Council will find an illustration of the proposed improvements. MnDOT District 1 staff will review the design in detail and will be available to answer Council questions regarding the proposed layout (please find that attached). After reviewing this project with Council, MnDOT will schedule a virtual public information meeting for some time in August.

Supporting Documentation

- Proposed Reduced Conflict Intersection Design

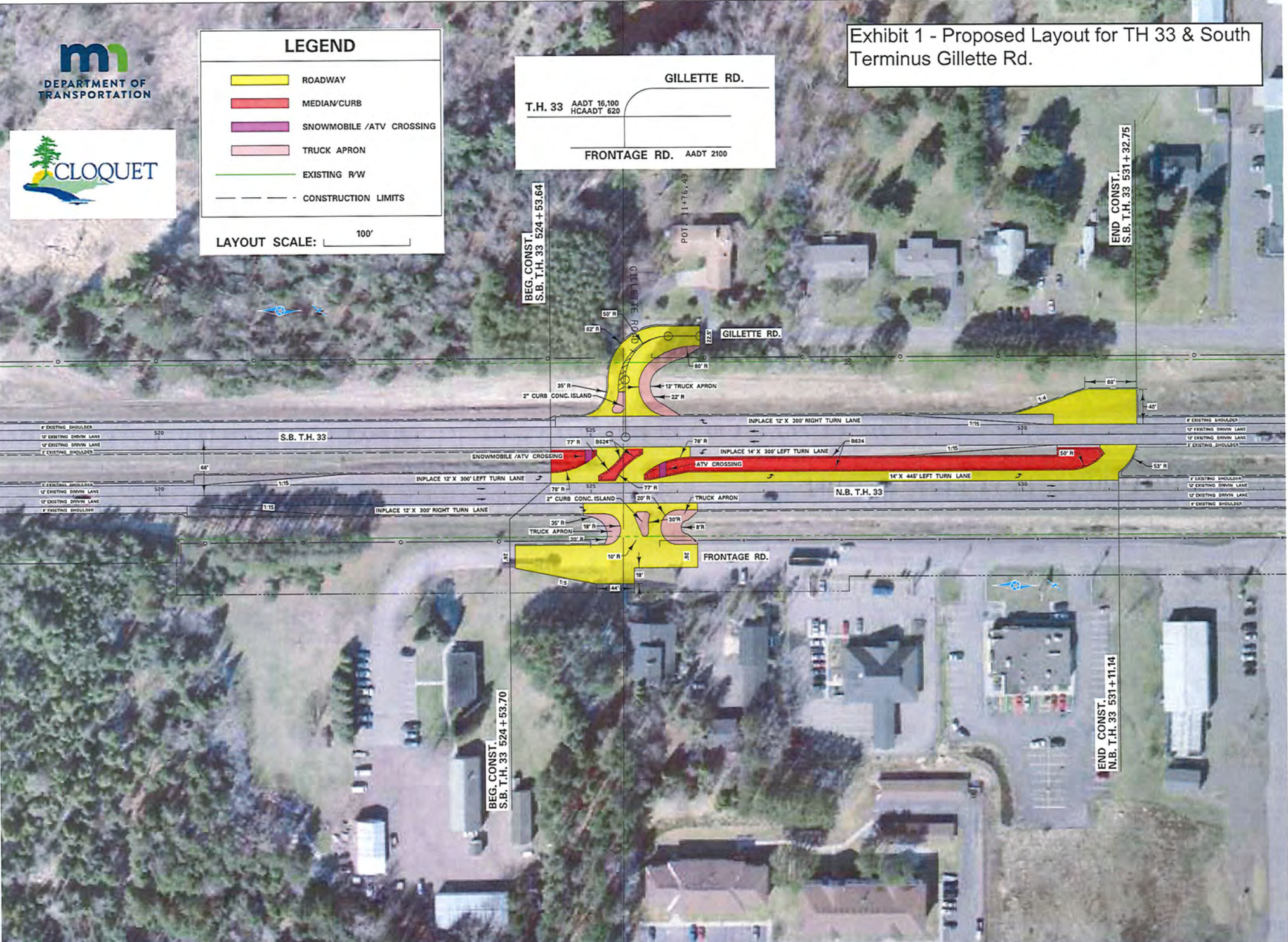
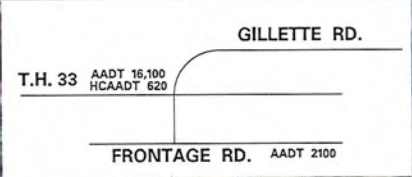


LEGEND

- ROADWAY
- MEDIAN/CURB
- SNOWMOBILE /ATV CROSSING
- TRUCK APRON
- EXISTING R/W
- CONSTRUCTION LIMITS

LAYOUT SCALE: 100'

Exhibit 1 - Proposed Layout for TH 33 & South Terminus Gillette Rd.



BEG. CONST.
S.B. T.H. 33 524+53.64

END CONST.
S.B. T.H. 33 531+32.75

BEG. CONST.
S.B. T.H. 33 524+53.70

END CONST.
N.B. T.H. 33 531+11.14



CLOQUET POLICE DEPARTMENT

DEREK W. RANDALL
Chief of Police

101 14th Street
CLOQUET, MINNESOTA 55720-1799
records@cloquetmn.gov

Phone 218-879-1247
Fax 218-879-1190

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Derek W. Randall, Chief of Police
Reviewed By: Tim Peterson, City Administrator *TCP*
Date: July 21, 2020

Item Description: Appointment of Investigations Commander

Proposed Action

Staff recommends the City Council move to approve the appointment of Interim Investigations Commander Adam Reed effective July 21, 2020, to the [permanent] position of Commander, Investigations and Administration.

Background/Overview

The Cloquet Police Department currently has 17 sworn officers providing service to the cities of Cloquet and Scanlon. The current number of sworn officers, including the Chief, in the department, includes 13 assigned to patrol, two assigned to investigative functions, and one interim assigned to administration.

In the fall of 2019, the Chief of Police retired from the department leaving full administrative and operational functions under the direction of the Patrol and Investigations Commanders. In October 2019, the Patrol Commander and then Interim Chief went on administrative leave, leaving Commander Randall, the sole administrator and now Chief. In December 2019, Council approved the appointment of Sergeant Reed to the position of Interim Commander. Reed has been acting in that capacity for the last seven and a half months.

In June 2020, the City posted the commander positions internally and externally. At the close of the job posting, we received four applicants; two internal and two externals. The candidates submitted an application, a resume and/or curriculum vitae, and their leadership philosophy. (Before the interviews, one external candidate removed themselves from the process.)

On July 8, 2020, interviews were conducted for the Commander positions. The panelists included the City Administrator, the Human Resources Director, a Citizen Advisory Board member, and the Police Chief. After the interview process, Interim Commander Reed was the unanimous choice for the position of Investigations/Administrative Commander.

Reed has been with the Cloquet Police Department since 2004. He has risen through the ranks of officer, detective, patrol sergeant, and interim Commander. Reed has been a member of the Carlton County Dive/Rescue Team, Consolidated Emergency Response Team (CERT), and is a member of the Carlton County Drone Team. Reed is a Field Training Officer (FTO) and the department's Firearms Instructor and weapons armorer. Before the Cloquet Police Department, Reed work for the Department of Corrections.

To Mayor and Council
Commander Appointment
July 21, 2020
Page 2

Reed holds a bachelor's degree in Sociology with an emphasis in Criminal Justice from the University of Wisconsin-Superior where he graduated Magna Cum Laude.

In 2015, the Chief, based on the suggestions by the Upper Midwest Community Policing Institute analysis of the Cloquet Police Department, recommended two commanders to assist the Chief in the administrative functions of the police department: one to oversee patrol functions and one to oversee investigative and administrative functions. This recommendation was further supported in the 2019 police study conducted by the Novak Group.

The Police Commander position is critical to the overall success of the department and is accountable for the daily supervision and development of first-line supervisors and line staff. Commanders ensure the delivery of exceptional police response and efficient policing services to the community. Commanders are responsible for the preservation of law and order, the protection of life and property, the prevention and detection of crime, the provision of emergency services, and the enforcement of laws and ordinances.

Financial/Budget/Grant Considerations

No additional financial implications to the City as two Commander positions [and a Police Chief] are currently included in the 2019/2020 budget.

Advisory Committee/Commission Action

None

Supporting Documentation Attached

- Investigations Commander Job Descriptions



City of Cloquet Job Description

POSITION: Investigative/Administrative Commander
DEPARTMENT: Police
REPORTS TO: Police Chief

SUMMARY

Under general direction of the Police Chief, plans and coordinates criminal investigation and administrative/records services of the Police Department. The commander conducts and oversees the preliminary and supplementary investigation of crimes, interviewing victims, complainants, witnesses and suspects; secures and investigates the crime scene; identifies, collects and preserves physical evidence; prepares reports; and testifies in court.

ESSENTIAL FUNCTIONS OF THE JOB

An Investigative/Administrative Commander is required to be capable of performing all the duties and tasks of a police officer, or police sergeant, or police chief if called upon.

Represents the department before civic and community organizations, schools, other emergency or law enforcement agencies, and the media. Responds to inquiries from the media, citizens, public groups, and other agencies. Explains department mission, methods, policies and procedures.

Supervises the Investigative Division; assigns detectives and staff to investigate specific problems and cases and review their records and reports and coordinate information gathered and work accomplished by subordinates.

Investigates allegations of misconduct. Supervises and implements corrective actions as necessary to ensure conduct and performance of personnel conforms to all city and department rules, regulations and policies; completes evaluations of personnel in accordance with department policies; reviews and determines disciplinary recommendations of subordinate officers.

Provides leadership to employees.

Develops programs to meet the future needs of the department based on the changing needs of the community, technology, and new or revised laws and regulations.

Oversees the production, collection, and dissemination of law enforcement intelligence to the proper line staff.

Oversees all essential functions of the Administration Division, office and technical support staff, policy development, training and data practices are included in this area.

Provides staff supervision of officers from other divisions who may be on duty in the absence of their own supervising officers.

All other duties as required by the Police Chief.

SELECTION FACTORS

Considerable knowledge of police administration and labor relations, including modern management and supervisory principals, practices, and methods, as well as applicable labor and employment law.

Considerable knowledge of modern law enforcement methods and techniques in the prevention and investigation of criminal activities.

Considerable knowledge of the identification and preservation of physical evidence.

Considerable knowledge of applicable federal and state laws, City Code, and statutes applicable to police work, records management, and data privacy.

Ability to plan, organize, and direct work programs including monitoring work schedules and evaluating the work of subordinates.

Ability to establish and maintain cooperative and effective working relationships with others.

Ability to communicate clearly and concisely, both orally and in writing, on complex or sensitive issues.

Ability to participate in specialized programs and assignments to enhance police protection and community relations.

Ability to read, interpret, explain, and effectively apply rules, regulations, policies, and procedures.

Ability to perform effectively in emergency and stressful situations.

QUALIFICATION REQUIREMENTS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Considerable knowledge of the principles and practices of effective supervision as it applies to the police service; considerable knowledge of crime prevention, investigation, and community policing principles, procedures, techniques and equipment; considerable knowledge of federal and state laws, and City Code and their application to police activities; considerable knowledge of other agency operations and protocols.

Ability to train and supervise subordinate personnel in the duties of their position; ability to act effectively in emergency and stressful situations; ability to follow verbal and written instructions; ability to communicate effectively orally and in writing; ability to establish effective working relationships with employees, other agencies and the general public; ability to perform strenuous or peak physical efforts during emergency or training activities for prolonged periods of time.

EDUCATION AND/OR EXPERIENCE

Associate's degree (A. A.) in criminal justice from an accredited college. Minimum of five (5) years of experience as a police officer and attained the rank of Police Sergeant or Detective or an equivalent combination of education and experience.

Broad experience in police operations and administration preferred and should have demonstrated modern management skills and abilities as they relate to effective police administration.

A historical commitment to education, including a bachelor's degree and receipt of a master's degree from an accredited institution or effort toward preferred. Attendance of one or more of the following: Northwestern Traffic Institute - Staff and Command; Southern Police Institute (SPI); FBI National Academy; Law Enforcement Executive Development Seminar (LEEDS), and / or Senior Management for Police Executives (SMIPS), LPO, BCA Management Series a plus.

LANGUAGE SKILLS

Ability to communicate effectively in both written and oral form. Ability to prepare effective and complete reports as required. Ability to hear, read, understand and carry out oral and written instructions. Ability to communicate to groups through presentations and speeches. Ability to read and understand State and Federal laws and City Code, State and department reporting forms, and department and civil service policies.

Strong communications skills both written and oral, plus a positive team-oriented attitude. Ability to speak and write English clearly and concisely.

MATHEMATICAL SKILLS

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent.

REASONING ABILITY

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables. Ability to exercise independent judgment. Ability to quickly process information and make decisions.

OTHER KNOWLEDGE, SKILLS AND ABILITIES

General knowledge of computers, cameras and video equipment.

Knowledge of City Code pertaining to the Police Department.

Ability to maintain high ethical standards, both on and off duty.

Volunteer and/or leadership experience in community-based organizations: i.e., Scouts, Church, Rotary International, Lions Club, Chamber of Commerce, YMCA.

In addition to the above requirements, applicants must have the ability to perform the essential functions of a peace officer and agree to stipulate to the employment conditions as listed both in this job description and any employment agreements.

CERTIFICATES, LICENSES AND REGISTRATIONS

Minnesota Police Officer License or be eligible to be POST certified in the State of Minnesota.
Valid Minnesota Class D Driver's License.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to stand; walk; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; and talk or hear. The employee frequently is required to sit. The employee is occasionally required to climb or balance; stoop, kneel, crouch, or crawl; and taste or smell. The employee may occasionally be required to use sudden exertion to apprehend a suspect or to take control of a situation.

The employee must regularly lift and/or move up to 25 pounds, frequently lift and/or move up to 50 pounds, and occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works near moving mechanical parts and in outside weather conditions. The employee occasionally works in high precarious places, and is occasionally exposed to wet and/or humid conditions, fumes or airborne particles, toxic or caustic chemicals, extreme heat, risk of electrical shock, and risk of radiation. The employee may occasionally be exposed to blood and airborne pathogens.

The noise level in the work environment is usually moderate.



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

REQUEST FOR COUNCIL ACTION

To: Mayor and Cloquet City Council
From: Holly Hansen, Community Development Director
Matt Munter, Building Official
Reviewed By: Tim Peterson, City Administrator
Date: July 6, 2020

ITEM DESCRIPTION: Ordering Removal of a Public Nuisance and Hazardous Building / Hazardous Excavation

Proposed Action

The Council is asked to approve **RESOLUTION NO. 20-42, ORDERING THE REMOVAL OF A PUBLIC NUISANCE AND HAZARDOUS BUILDING/HAZARDOUS EXCAVATION LOCATED AT 1360 ROLAND ROAD, CLOQUET, MN, MN** and enter into contract with Land Logic (the lowest bidder) in the amount of \$6,989 to demolish a rear entry porch and foundation system, cap the water and septic lines, fill and compact the former foundation hole and restore the site at 1360 Roland Road.

Background/Overview

On April 12, 2019, 1360 Roland Road had a house fire and the home was substantially damaged and demolished. The owners stated they hoped to rebuild a home using the existing foundation and new rear entry on the home. The Building Official explained he would allow a period of time for them to devise building plans and begin work, however the foundation needed to be fenced and secured and if no building plans and construction work occur in a timely fashion, the foundation would need to be removed along with the rear entry.

With no substantial resolution, on April 14, 2020 the Building Official issued an Order to: 1) Immediately Secure Fencing around a Hazardous Excavation; 2) Repair or Remove Hazardous Excavation within 60 days; and 3) Repair or Remove Hazardous Structure (rear entry porch) all located at 1360 Rolland Road Cloquet, MN 55720. With no response to the City's Order, Public Works crews were sent to the site on May 5, 2020 to install corrective fencing around the foundation hole and an invoice was sent to the owners, which remains unpaid. The 60-day deadline for building plans or foundation removal by the owners was June 14, 2020. With no response or action, city staff on June 22, 2020 prepared a memo requesting demolition bids from seven local contractors (Cloquet Constructors, Kiminski Paving, Land Logic, D&B Trucking, Ulland Brothers, 3D Construction, and KTM Paving), due back to the City by July 1st.

The next step in this enforcement process is for the City Council to “Order the Removal of a Public Nuisance and Hazardous Building / Hazardous Excavation located at 1360 Roland Road Cloquet, MN” which provides the owners 20 days to remove otherwise the City will file with the courts to do so and will lace an active lien on the parcel for said work.

The Council will find details of the property condition in the attached April 14, 2020 *Order to: 1) Immediately Secure Fencing around a Hazardous Excavation; 2) Repair or Remove Hazardous Excavation within 60 days; and 3) Repair or Remove Hazardous Structure (rear entry porch) all located at 1360 Rolland Road Cloquet, MN 55720.* There is a rear entry standing and an open foundation hole. Carlton County staff report a new septic system installed in 2010 and viable well records on file with the Department of Health. The City’s role and goal of the demolition would be to remove the legal hazard filing an active lien on the property and ensuring that the demolition work is done effectively to provide for a future rebuildable lot with no foundation debris since the owners have not acted. A neighboring property owner has expressed frustration and concern on property conditions.



Policy Objectives

City Code Chapters 7 and 10 address Public Nuisances and Building and Housing Code Standards. This case before the Council is a Public Nuisance and Housing Code violation of City Code for which action is being sought from the Council.

Financial/Budget/Grant Considerations

Demolition bids were due by 5 p.m. July 1st to the City. City staff direct mailed a request for demolition bids to seven local area demolition contractors (Cloquet Constructors, Kiminski Paving, Land Logic, D&B Trucking, Ulland Brothers, 3D Construction, and KTM Paving). Bids received were as follows:

1. Land Logic \$6,989
2. D&B Trucking \$7,560
3. 3D Construction \$9,625
4. Ulland Brothers \$16,800

Staff recommendation would be for the City to enter into contract for demolition work with Land Logic in the amount of \$6,989 (as the lowest bidder) and these costs incurred by the City will be filed as a special assessment (active filed lien) against the property, payable in a single installment and placed behind the County’s back taxes (\$1,769.16 for 2019 (they paid half a year), \$3,404 not paid for 2020 not yet officially delinquent). The City hired an ownership and encumbrance evaluation on the property and found no other liens on this property. The County is set to forfeit on the property for back taxes in December 2023 and the soonest opportunity for County financed demolition would otherwise be spring of 2024 or county land auction as is at that time.

Supporting Documentation

- Resolution 20-42
- Bids for Property Demolition
- Cloquet Building Official’s April 14, 2020 Order

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

RESOLUTION NO. 20-42

**RESOLUTION ORDERING THE REMOVAL
OF A PUBLIC NUISANCE AND HAZARDOUS BUILDING / HAZARDOUS
EXCAVATION LOCATED AT 1360 ROLAND ROAD CLOQUET, MN**

WHEREAS, pursuant to Cloquet City Code §§ 10.3.07 subd. 1 and 7.1.01 to 7.1.07 and Minn. Stat. §§ 463.15 to 463.25, the City Council of the City of Cloquet finds the residence on the property located at 1360 Roland Road, Cloquet, MN (PIN 06-570-0400) to be a public nuisance and hazardous building/excavation for the following reasons:

1. The home was damaged by a fire on April 12, 2019. The fire damaged structure was removed on July 2, 2019 and it is unknown whether demolition included proper disconnection between the street and home by the demolition contractor of gas and electric utility connections. The former home's foundation was left open onsite and the former home's rear entry addition that is tied in with the former home's foundation system was left standing with the stated intent to rebuild.
2. An inspection was conducted on this building April 8, 2020 by the Cloquet Building Official; the inspection concluded the foundation remains open which constitutes a hazardous excavation; the fencing around the open foundation hole is no longer secure, and the former home's rear entry still stands as it is tied into the former home's foundation system which constitutes a hazardous structure.
3. On April 14, 2020 the Building Official issued an Order to Secure Fencing immediately around the hazardous excavation and to repair or remove the hazardous excavation and hazardous building/structure within 60 days pursuant to City Code § 10.3.07 Subd. 1, City Code §§ 7.1.01 to 7.1.07, and Minn. Stat. §§ 463.15 to 463.25.
4. On May 4, 2020 the Building Official re-inspected the property and found no change in the condition of the fence or in the hazardous building/excavation. The Building Official then directed city crews to install secured fencing around the hazardous excavation which was accomplished on May 5, 2020 and work was invoiced at the expense of \$90 to the property owners of 1360 Roland Road, an invoice which remains unpaid.
5. The Building Official re-inspected the property on June 15, 2020 and found no action by the property owners with regard to the hazardous building or excavation.

WHEREAS, the conditions listed above, which are more fully documented in the Building Inspection photos and Report prepared by Building Official Matt Munter on June 15, 2020, a copy of which is attached hereto as Exhibit A, which conditions have further deteriorated to date, make clear that due to partial demolition, neglect and deterioration, the residence located on the property at 1360 Roland Road endangers and constitutes a hazard to public health and safety, and is therefore declared to be a Public Nuisance and Hazardous Building/Excavation; and

WHEREAS, the legal description for 1360 Roland Road is as follows:

Lot 20, Block 1, ANTUS SECOND 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,

WHEREAS, the owners of record of said property are Heather and Adam Culbert, (herein OWNERS).

WHEREAS, OWNERS have failed to comply with the April 14, 2020 Order to Repair or Remove Hazardous Conditions; and

WHEREAS, the City may proceed with demolition of the Hazardous Building by signed Consent from OWNER or by Judgment of the District Court, allowing City to perform any demolition and cleanup that is necessary, to remove the Public Nuisance and Hazardous Building/Excavation, and to charge any costs thereby incurred by the City as a special assessment against the property, payable in a single installment; and

WHEREAS, the property is vacant and has been secured by THE CITY, with corrective fencing installed on May 5, 2020 and invoiced \$90 to the owners which remains unpaid; and

WHEREAS, pursuant to a search of the records of the Carlton County Recorder's Office, the City does not find and is not aware of any lienholder of record of said parcel other than Carlton County for delinquent 2019 property taxes in the amount of \$1,769.16 as of June 23, 2020 and no payment to date on 2020 property taxes or special assessments; and

WHEREAS, bids for complete demolition and cleanup of the residence which constitutes a Public Nuisance and Hazardous Building/Excavation at 1360 Roland Road have been received in amounts ranging from \$6,989 to \$16,800; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, as follows:

1. That pursuant to the foregoing findings and in accordance with Cloquet City Code § 7.1.07, and Minn. Stat. § 463.151 or § 463.16 (as appropriate), the Council orders the demolition and cleanup of the residence at 1360 Roland Road, which constitutes a Public Nuisance and Hazardous Building/Excavation, which cleanup shall be commenced by OWNER within 20 days from the date of service of this Resolution/Order upon OWNER.
2. OWNER has 20 days from the date of service of this Resolution/Order to serve an answer in the manner provided for the service of an answer in a civil action, specifically denying such facts in the Resolution/Order as are in dispute; or to provide to City a signed Consent to Enter Property for Removal of Public Nuisance and Vacant Hazardous Building/Excavation; or to commence with demolition and cleanup.
3. The City Attorney shall file a copy of this Resolution/Order, with proof of service attached, with the Carlton County District Court within 14 days of service upon the OWNER, and shall at the same time file for record with the County Recorder a Notice of Pendency of the proceeding, and shall file a motion for summary enforcement of this Resolution/Order one week thereafter unless

OWNER has taken corrective action, or has provided the City with a signed Consent to Enter Property for Removal of Public Nuisance and Vacant Hazardous Building/Excavation, or unless an answer has been filed.

4. Upon receipt by City of a signed Consent to Enter Property for Removal of Public Nuisance and Vacant Hazardous Building/Excavation, or upon entry of judgment by the Carlton County District Court allowing enforcement of the Resolution/Order, demolition and cleanup of the Public Nuisance and Hazardous Building/Excavation shall be commenced by the City or any of its designated agents as soon thereafter as is reasonably possible.
5. That in accordance with Minn. Stat. § 463.21 & § 463.24, when said Public Nuisance and Hazardous Building/Excavation is cleaned up and removed by the City, the City may sell personal property, fixtures, and/or salvage materials at public auction after three days posted notice, or if without appreciable value, the City may destroy the same.
6. That the Council approves payment of up to \$6,989.00 in demolition and cleanup costs by the City which will be specially assessed against the property and collected in accordance with Minn. Stat. §§ 463.151, and 463.21, and shall be payable in a single installment.
7. That the City Attorney is authorized to proceed with the preparation of all documents and the taking of all actions necessary for enforcement of this Resolution/Order, including the filing of an action in the District Court for any appropriate Order needed.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 21ST DAY OF JULY 2020.

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator



PROPOSAL

DEMOLITION AT 1360 ROLAND ROAD, CLOQUET MN

July 1, 2020

PROPOSAL

2020 14th STREET, SUITE A, CLOQUET, MN 55720 Phone: 218-384-9727

	ITEM	
--	------	--

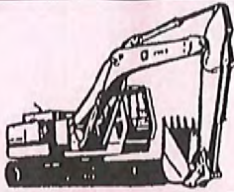
- Demolish, Remove, Dispose of 28x40 concrete slab and associated foundation
- Demolish, Remove, Dispose of 12x14 Wood Frame Structure and four associated concrete piers

- Backfill with select granular borrow, compaction of backfill material

- Cover with topsoil, seed, harrow and cover with blown hay/straw
- Cap existing sewer and water lines as they exit foundation

\$6,989

Assumptions: City demo permit by owner
All waste classified as standard "demo". No metals, MSW or asbestos
No abandonment of well or septic system



D & B TRUCKING and EXCAVATING

2430 County Rd. 5, Carlton, MN 55718
Ph. 218-384-3833



PROPOSAL SUBMITTED TO <i>City of Cloquet</i>	PHONE <i>879-3587 ext 4</i>	DATE <i>6/29/2020</i>
STREET <i>101 14th St.</i>	JOB NAME	
CITY, STATE AND ZIP CODE <i>Cloquet Minn. 55720</i>	JOB LOCATION <i>1360 Roland Rd.</i>	

We hereby submit specifications and estimates for:

Remove + Dispose of Porch
Remove + Dispose of Concrete Foundation
Fill Basement with clean Fill + Compact
Supply + Place Topsoil, Seed, mulch
Cap sewer Line + water

\$7560.00

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

_____ dollars (\$ _____).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Not liable for acts of God.

"(a) Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions, including attorney and court cost due to the recovery of full payment plus.

(b) Under Minnesota law, you have the right to pay persons who supplied labor or materials for this improvement directly and deduct this amount from our contract price, or withhold the amounts due them from us until 120 days after completion of the improvement unless we give you a lien waiver signed by persons who supplied any labor or material for the improvement and who gave you timely notice."

Accounts 30 days past due will be charged 1.5%.

Authorized Signature *David Dean Pres.*

Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Signature _____

Date of Acceptance: _____



501 Brookston Rd • Cloquet, Minnesota 55720
Phone: 218-879-1730 • Cell: 218-940-4429

Bid

City of Cloquet
101-14th St.
Cloquet, MN 55720

218-879-2507

June 30, 2020

.....
Re: 1360 Roland Road, Cloquet, Minnesota

Bid to include:

Remove building

Remove basement floor and dispose of

Collapse basement walls and dispose of

Fill basement area with compactable granular fill

Disconnect and cap sewer pipe to septic tank

Disconnect water line to well and cap it off

Fill area to grade

Cover disturbed areas and cover with loam/topsoil

Seed area to grass

For the total sum of: \$9,625.00 (Nine Thousand Six Hundred Twenty-Five Dollars & Zero Cents)

Holly Hansen

From: Ryan Swanson <rswanson@ulland.com>
Sent: Tuesday, June 30, 2020 5:07 PM
To: Holly Hansen
Subject: Demolition at 1360 Roland Road

Our budget estimate for this work is \$ 16,800.00. This price includes demo and removal of entry structure, demo and removal of existing basement walls and foundation, backfill hole with sand material and seed/mulch disturbed area. This price does not include any hazardous waste removal and disposal from existing structures, and all utility disconnects.

We could get this price cheaper if we were to just break up the basement slab so it drains and just leave it in place and backfill over it.

Let me know if you have any questions. Thanks.

Ryan T. Swanson, P.E., V.P. | Lead Estimator / Project Manager

Ulland Brothers, Inc. | 1634 Hwy. 210 | Carlton, MN 55718

Business: 218-384-4266 | Fax: 218-384-4110 | Direct: 218-384-5007 | Mobile: 218-966-9822

rswanson@ulland.com | www.ulland.com

This message may contain confidential and/or privileged information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message. Thank you for your cooperation.

 Please consider the environment before printing this email.



Community Development Department
101 14th ST • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

April 14, 2020

Adam Culbert
979 Pinewood Drive
Cloquet, MN 55720

Heather Culbert
1394 David Road
Cloquet, MN 55720

RE: Order to: 1) Immediately Secure Fencing around a Hazardous Excavation; 2) Repair or Remove Hazardous Excavation within 60 days; and 3) Repair or Remove Hazardous Structure (rear entry porch) all located at 1360 Rolland Road Cloquet, MN 55720 (PIN 06-570-0400)

Take notice that the building located on the following described property and situated in the City of Cloquet, in the and State of Minnesota, legally described as follows, to wit:

Lot 20, Block 1, ANTUS SECOND 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,

IN ORDER TO PROTECT THIS HAZARDOUS EXCAVATION per City Code § 7.1.04 and Minn. Stat. §§ 463.25. An inspection was conducted on this building April 8, 2020 by the Cloquet Building Official; the inspection concluded the following:

Case Facts:

1. The home was damaged by a fire on April 12, 2019. The fire damaged structure was removed on July 2, 2019 and it assumed by the City that the demolition included proper disconnection between the street and home by the demolition contractor of gas and electric utility connections. The former home's foundation was left open onsite with the hopes of future rebuilding along with the former home's rear entry addition that is tied in with the former home's foundation system.
2. An inspection on April 8, 2020 by the City of Cloquet Building Official confirmed that the foundation hole remains open, the fencing around the open foundation hole is no longer secure, and the former home's rear entry still stands as it is tied into the former home's foundation system.
3. To date no further resolution or action has occurred to rebuild ("REPAIR") upon this open foundation and tying into the standing rear entry structure.



Community Development Department
101 14th ST • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

4. To date no further resolution or action has occurred to remove the foundation and fill in the foundation hole (“**REMOVE**”), nor to deconstruct the rear entry, as such this remains an open Hazardous Excavation per Minn. Stat. §§ 463.25; Public Nuisance related to the open excavation per City Code 7.1.04; and a Hazardous Structure / Public Nuisance per City Code § 10.3.07 Subd. 1, City Code §§ 7.1.01 to 7.1.07, and Minn. Stat. §§ 463.15 to 463.25.

The above Case Facts conclude that this structure is a hazardous structure that endangers and constitutes a hazard to public health and safety. The excavation and structure are therefore declared to be a Public Nuisance, Hazardous Excavation, and Hazardous Structure. As Building Official of the City of Cloquet, in accordance with City Code § 7.1.04 and Minn. Stat. §§ 463.25; and City Code § 10.3.07 Subd. 1, City Code §§ 7.1.01 to 7.1.07, and Minn. Stat. §§ 463.15 to 463.25 I do hereby order you to:

- 1) **Immediately Secure Fencing around this open foundation Hazardous Excavation;** and
- 2) **Repair or Remove Hazardous Excavation within 60 days.** REPAIR requires submission of detailed rebuilding plans to the City of Cloquet Building Official for a Building Permit application to begin reconstruction within 60 days from the date of this letter. REMOVE requires submission of detailed demolition and grading plans to the City of Cloquet Building Official for a Demolition Permit application within 60 days from the date of this letter to remove this Hazardous Excavation and Hazardous Structure whereby demolition requires removal of the foundation walls and backfilling the excavation to grade; and
- 3) **Repair or Remove Hazardous Structure (rear entry) within 60 days.** REPAIR requires submission of detailed rebuilding plans to the City of Cloquet Building Official for a Building Permit application to begin reconstruction within 60 days from the date of this letter where this entry structure is tied into a new home. REMOVE requires submission of detailed demolition and grading plans to the City of Cloquet Building Official for a Demolition Permit application within 60 days from the date of this letter to remove this Hazardous Structure and backfilling the excavation to grade.

Within 20 days from the date of service, any interested person upon whom the order is served may appeal this decision in writing, specifically denying such facts in the order as are in dispute.

Dated this 14th day of April, 2020

If you have any questions you may contact me at (218) 879-2507 x2 or mmunter@cloquetmn.gov.

Sincerely,

Matt Munter, Building Official



Community Development Department
101 14th ST • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

COPY: City Attorney
Attachments: April 8, 2020 Inspection of 1360 Rolland Road



COMMUNITY DEVELOPMENT DEPARTMENT
101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555
www.cloquetmn.gov

INVESTIGATION REPORT

BUILDING & HOUSING CODE
 ZONING CODE

Date of Investigation:

Inspector: Matt Munter, Building Official

Date of Report: 4/8/2020

Site Address: 1360 Rolland Road

Owner: Adam and Heather Culbert

Investigation Findings:

- The fire damaged structure was removed with the foundation and recently constructed rear addition was left for future rebuild.
- The addition and foundation have been open since demo was completed on July 2nd, 2019
- The fence securing the foundation is no longer effective and needs to be secured upright.
- This is Hazardous Excavation per MN. Stat.Sec.463.25, Unsafe Building per Minnesota State Building Code section 1300.0180, Cloquet City Code 10.5.01, and public nuisance per Cloquet City Code 7.1.04



COMMUNITY DEVELOPMENT DEPARTMENT
101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555
www.cloquetmn.gov



Open foundation is no longer secured. Existing construction is a hazardous excavation, hazardous structure, and public nuisance



Community Development Department
101 14th ST • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Mayor and Cloquet City Council
From: Holly Hansen, Community Development Director
Reviewed By: Tim Peterson, City Administrator
Date: July 14, 2020

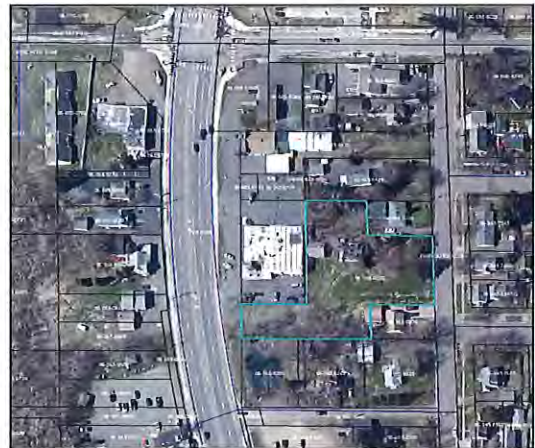
ITEM DESCRIPTION: Approving Condemnation of 611 Adams Street and Approving EDA Oversight of Property Redevelopment Following the Property Taking Utilizing EDA Funds

Proposed Action

In an effort to remove and resolve blighted conditions, the City Council is asked to initiate condemnation of 611 Adams Street in an effort to create a redevelopment opportunity in the City, with the Cloquet Economic Development Authority (EDA) funding the acquisition of the blighted property legal taking at the attached appraised value, paying the delinquent taxes, hiring demolition, and overseeing the redevelopment process of the property. Council is asked to approve **RESOLUTION NO. 20-43, RESOLUTION APPROVING CONDEMNATION OF 611 ADAMS STREET AND APPROVING CLOQUET ECONOMIC DEVELOPMENT AUTHORITY (EDA) OVERSIGHT OF PROPERTY REDEVELOPMENT FOLLOWING THE PROPERTY TAKING UTILIZING EDA FUNDS.**

Background / Overview

Sunnyside neighbors contacted the City to complain and express assistance in researching a vacant, abandoned, and structurally collapsed home at 611 Adams Street. The original owner deceased in 1996 and then family members paid for utility services until the City of Cloquet initiated a forced shut-off for non-payment in October 2016. Staff then examined the property tax payments which had been being made by another family member who had recently deceased (2018), noting the very first year of delinquent taxes in the property's history in 2019. With that framework, staff ordered an Ownership and Encumbrance Report to identify property liens and ownership. The report identified that the property has clouded complex title requiring multiple probate modifications within the family to resolve and transfer title to the property to all of the listed heirs at significant time, legal expenses which is not worthwhile or feasible for the City given this circumstance, property, and its deteriorated condition.



The parcel alignment of 611 Adams Street.

Staff outreached to the heirs of one of the recently deceased family members via letter about resolving the family title on this property and received no response. In November 2019, the City issued an Order to Remove 611 Adams Street, which remains a standing structural condemnation order that is an overarching cost requirement on the property requiring clearing.

The City Attorney advises the options with this vacant abandoned collapsed building and property are:

1. Wait four more years for the property to forfeit to Carlton County, to potentially demolish in the future in year 5 for the County to auction in the future; or
2. The City would issue condemnation proceedings, the courts would house the funding to disperse appraised value to heirs, the City would clear the collapsed home and garage, and the EDA would craft a contractor request for proposals for a residential construction project to blend with the neighborhood character, setting the tone proactively and cleaning up the boundaries between commercial and residential properties. To set the construction standard, the EDA would require stick-built construction (like the Water Tower project), generating interest and involvement from local contractors.

Staff crafted the attached concept map to potentially “clean up” and square off property lines of the existing flag shape parcel. Find those concepts attached. To move forward with a map such as this would require communication with adjacent owners, hiring of a property survey, legal descriptions to be drafted, deeds be prepared and signed by adjacent owners. The Cloquet EDA recently did this process at the former Water Tower property on Avenue E, the only difference is the City owned that property, this property requires acquisition.

This case is not a straightforward home demolition situation, instead this is a parcel of land in our City that has higher and better land use development standard which can be guided and overseen by the Cloquet EDA. The EDA’s potential involvement with this property is for its redevelopment potential, EDA funding does not exist to simply tear down homes and place a lien on properties. The Community Development Department’s Building and Planning Services has an annual line item for this type of clearing depending on the case and its situational criteria.

Policy Objectives

The mission of the Cloquet Economic Development Authority (EDA) is to take an active role in attracting new businesses to the community, retaining existing businesses, assisting businesses with expansion, **and enabling rehabilitation and/or redevelopment of areas within the community.** The goal of work activities by the EDA is to grow the local economy through focused efforts that stimulate economic investment and grow prosperity in the Cloquet region. Annually, the EDA sets goals, the number 1 goal for 2020 was:

Goal #1 - Promote the Development & Maintenance of Housing by implementing the 2014 Cloquet Housing Study and Taskforce Recommendations

Strategy: Ensure that the City’s housing stock supports the needs of local employers, employees, and targeted businesses including the adequate marketing of the City’s housing re/development opportunities.

This unusual situation presents a potentially unique opportunity like the Water Tower project did for the EDA/City. The property is zoned Mixed Residential Commercial and the attached concept map would work to clean up the boundary between commercial and residential land use on the site.

Financial/Budget/Grant Considerations

Policy support for utilizing the Cloquet EDA's Fund 202 is derived from 1) aiding in the prevention or elimination of slum and blight; and 2) meeting other community development needs having an urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community. Under other eligible activities, the clearance and acquisition process may be considered on a case by case process as tied to an EDA redevelopment project. After acquisition, the EDA will craft an RFP for low density residential development (single-family/duplex) and would need to at that time discuss expectations about recouping some/all of EDA financed property clean-up related to generating redevelopment interest.

Estimated project costs are:

- Acquisition of Property via condemnation, \$10,000; and
- Demolition of all structures and removal of vehicles etc. \$10,000-15,000; and
- Property survey \$3,500; and
- Legal fees \$5,000 including filing in court and preparing deeds/legal descriptions if property is split/subdivided; and
- Back tax amounts as identified in Resolution No. 20-43

Advisory Committee/Commission Action

At their July 8th monthly meeting the Cloquet EDA unanimously voted 7-0 to recommend Council initiate property condemnation for 611 Adams Street.

Supporting Documentation Attached

- Resolution No. 20-43
- Conceptual Project Map
- Appraisal report with referenced City of Cloquet Order to Remove Hazardous Structure

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

RESOLUTION NO. 20-43

**RESOLUTION APPROVING CONDEMNATION OF 611 ADAMS STREET
AND APPROVING CLOQUET ECONOMIC DEVELOPMENT AUTHORITY (EDA)
OVERSIGHT OF PROPERTY REDEVELOPMENT FOLLOWING THE
PROPERTY TAKING UTILIZING EDA FUNDS**

WHEREAS, pursuant to Cloquet City Code §§ 10.3.07 subd. 1 and 7.1.01 to 7.1.07 and Minn. Stat. §§ 463.152, the City Council of the City of Cloquet finds the residence on the property located at 611 Adams Street (PIN 06-065-0220) to be a vacant hazardous building and a public nuisance for the following reasons:

1. The home has been disconnected from water and sewer utility service since October 2016. Water and sewer service are required by Cloquet City Code § 10.3.05 subd. 2 subp. B.
2. An inspection was conducted on August 27, 2019 by the Cloquet Building Official which concluded the structure was in disrepair due to years of neglect causing the collapse of the roof above the front porch, collapse of the northwest overhang, and collapse of the south side dormer causing the supporting wall to be pushed out and supported by a tree. The collapse of parts of the structure resulted in a portion of the wall to detach and open allowing for potential trespass. The report concludes that the property is a vacant hazardous building and a public nuisance and should be demolished.
3. On November 21, 2019, the Building Official issued an Order to Remove Vacant Hazardous Building pursuant to City Code §§ 10.3.07 subd. 1 and 7.1.01 to 7.1.07 and Minn. Stat. §§ 463.152 providing 120 days to comply. There has been no response or attempt to remove the vacant hazardous building.

WHEREAS, the conditions listed above, which are more fully documented in the Building Inspection photos and Report prepared by Building Official Matt Munter on November 21, 2019, a copy of which is attached hereto as Exhibit A, which conditions have further deteriorated to date, make clear that due to years of neglect causing areas of the structure to collapse, the residence located on the property at 611 Adams Street constitutes a hazard to public health and safety, and is therefore declared to be a Vacant Hazardous Building and a Public Nuisance that should be demolished; and

WHEREAS, the complete legal description for the property at 611 Adams Street is as follows:

Lot 7, COUNTY AUDITOR'S SUBDIVISION NO. 4, EXCEPT a parcel of land located in Lot 7, County Auditor's Subdivision No. 4, described as follows: COMMENCING at the Northwest corner of said Lot 7 for a place of beginning, thence southerly along the West line of said Lot 7 for a distance of 183 feet, thence at right angles easterly along a line parallel to the north line of said Lot 7, a distance of 115 feet; thence at right angles northerly along a line parallel to the West line of said Lot 7, a distance of 183 feet to the north line of said Lot 7; thence westerly along the North line of said Lot 7 a distance of 115 feet to the place of beginning, and EXCEPT a tract of land in Lot 7,

County Auditor's Subdivision No. 4, more particularly described as follows, to-wit; COMMENCING at the Southeast corner of said Lot 7; thence West on the South line thereof a distance of 115 feet to a point; thence at right angles North a distance of 61 feet to a point; thence at right angles East a distance of 115 feet to the East boundary line of said Lot; thence South along said boundary line a distance of 61 feet to point of beginning. EXCEPT East 115 feet of North 61 feet of Lot 7, Auditor's Subdivision No. 4.

Parcel ID No.: 06-065-0220

WHEREAS, the owner of record of said property is Alice R. Siam who is deceased (DOD: 01/30/1996), (herein OWNER); and

WHEREAS, the City is authorized to acquire the property by direct purchase or by condemnation pursuant to Minn. Stat. § 412.211 and Chapter 117 of the Minnesota Statutes; and

WHEREAS, OWNER and their successors and assigns have failed to comply with the November 21, 2019 Order to Remove Vacant Hazardous Building; and

WHEREAS, the City may proceed with demolition of the Vacant Hazardous Building by Judgment of the District Court through condemnation proceedings, allowing City to take the property and thereafter perform any demolition and cleanup that is necessary to remove the Vacant Hazardous Building and Public Nuisance; and

WHEREAS, the Economic Development Authority has funds available to pay for the acquisition of the property and to aid in redevelopment of the property after demolition including but not limited to working with the City Attorney (as needed) to prepare and file appropriate lot line adjustments/subdivisions or obtaining exchange deeds with adjoining property owners, zoning changes, obtain property survey(s), and collecting bids from contractors for stick built construction in the new development; and

WHEREAS, pursuant to a search of the records of the Carlton County Recorder's Office, the City does not find and is not aware of any lienholder of record of said parcel other than Carlton County for delinquent 2019 property taxes in the amount of \$344.98 as of July 14, 2020 and no payment to date on 2020 property taxes or special assessments;

WHEREAS, the City Council of the City of Cloquet has considered this matter and believes that it is in the best interests of the City to acquire the property by direct purchase through good faith negotiation, or if an agreement cannot be reached, through the exercise of the City's power of Eminent Domain under the quick-take provisions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, as follows:

1. The City finds that the condemnation, demolition and cleanup will remove a danger and hazard to public safety and redevelopment will result in a significant public benefit to the City's housing market and to the City as a whole providing additional needed opportunities for housing.
2. That the property be acquired by the City by direct purchase through good faith negotiation (pursuant to Minn. Stat. § 117.036) for no more than the appraised value (plus costs pursuant to

Minn. Stat. § 117.232) unless further approved by this Council, or if an agreement cannot be reached, by condemnation through the exercise of the City's power of Eminent Domain.

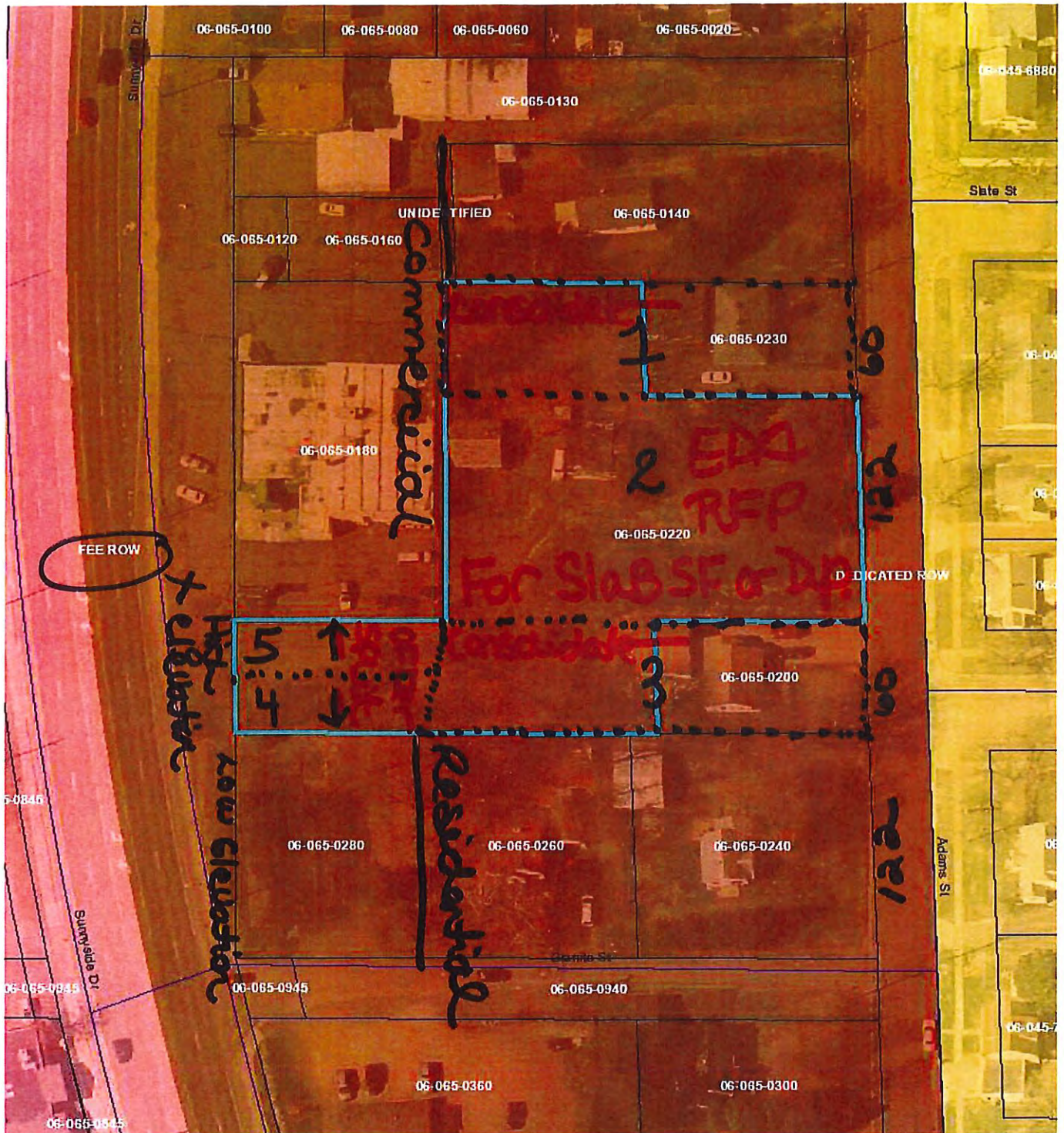
3. That pursuant to the foregoing findings and in accordance with Cloquet City Code § 7.1.07, and Minn. Stat. § 463.152 (as appropriate), the Council orders the condemnation, demolition, cleanup, and redevelopment of the residence at 611 Adams Street, which constitutes a Vacant Hazardous Building and a Public Nuisance, which demolition and cleanup shall be commenced by the City at the conclusion of a condemnation proceeding commenced in Carlton County District Court if City is unable to first acquire the property by direct purchase in lieu of condemnation proceedings.
4. OWNER and their successors and assigns have 20 days from the date of service of this Resolution/Order to serve an answer in the manner provided for the service of an answer in a civil action, specifically denying such facts in the Resolution/Order as are in dispute; or to provide an acceptance of an offer to purchase by the City for the estimated market value of the property valued at \$10,000.00.
5. That the Council endorses the Cloquet EDA's use of their funds to purchase the property (anticipated \$10,000) in lieu of condemnation or as damages in any condemnation proceeding; pay delinquent taxes (\$344.98), special assessments (\$200.00), and taxes currently due and owing (\$558.00); initiation of demolition and cleanup (anticipated \$15,000); hiring of property surveying (anticipated \$3,500); and estimated legal expenses of \$5,000.00 if the condemnation action is unopposed.
6. That the City Attorney working with the City Administrator and Community Development Director are authorized to proceed with the preparation of all documents and the taking of all actions necessary for enforcement of this Resolution/Order, including negotiating with the OWNER and their successors and assigns for direct purchase in lieu of condemnation, the filing of an action in the District Court including a condemnation action if required, for any appropriate Order needed, preparation and filing of appropriate lot line adjustments, subdivisions, legal descriptions, exchange deeds, and review of surveys.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 21st DAY OF JULY 2020.

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator



611 Adams Street EDA development concept

RAMSLAND & VIGEN, INC.
Real Estate Appraisers & Consultants
LONSDALE BUILDING
302 WEST SUPERIOR STREET, SUITE 410
DULUTH, MINNESOTA 55802-5110

JOHN M. VIGEN, SRA, RM
GARY A. BATTUELLO, MAI, AI-GRS
MARCIA A. RAMSLAND, RESEARCH

TELEPHONE: 218/727-8583
appraise@ramslandvigen.com

MAXWELL O. RAMSLAND, JR. 1939-2014

June 17, 2020

Ms. Holly Hansen, EDFP/AICP
Community Development Director
City of Cloquet
101 14th Street
Cloquet, Minnesota 55720

Re: Alice Siam Property
611 Adams Street
Cloquet, Minnesota 55720
(PID: 06-065-0220)

Dear Ms. Hansen:

Pursuant to your request for an estimate of market value applicable to the above referenced property, the undersigned has viewed the subject property, reviewed available data, and the findings are contained herein.

The appraisal procedure and report format employed herein is intended to be compliant with Uniform Standards of Professional Appraisal Practice (2020-2021 ed.) Standards Rule 1 (Real Property Appraisal Development) and Standards Rule 2-2 (Appraisal Report). Acknowledging the non-complex nature of the subject property, the client has requested a Minimum Damage Acquisition (MDA) appraisal report format be employed. This report summarizes data, reasoning and analyses used in the appraisal process.

Predicated upon a review of data summarized herein, effective May 11, 2020, a market value applicable to the subject property can be estimated to be:

TEN THOUSAND DOLLARS
(\$10,000.00)

Respectfully submitted,


John M. Vigen, SRA
Certified General Real Estate Appraiser
Minnesota License 4000928

SUPPLEMENTAL DATA

Property Identification: The subject is an uninhabitable, condemned, single-family dwelling, whose owner, address and legal description follow.

Ms. Alice Siam Property
611 Adams Street
Cloquet, Minnesota 55720
(PID: 06-065-0220)

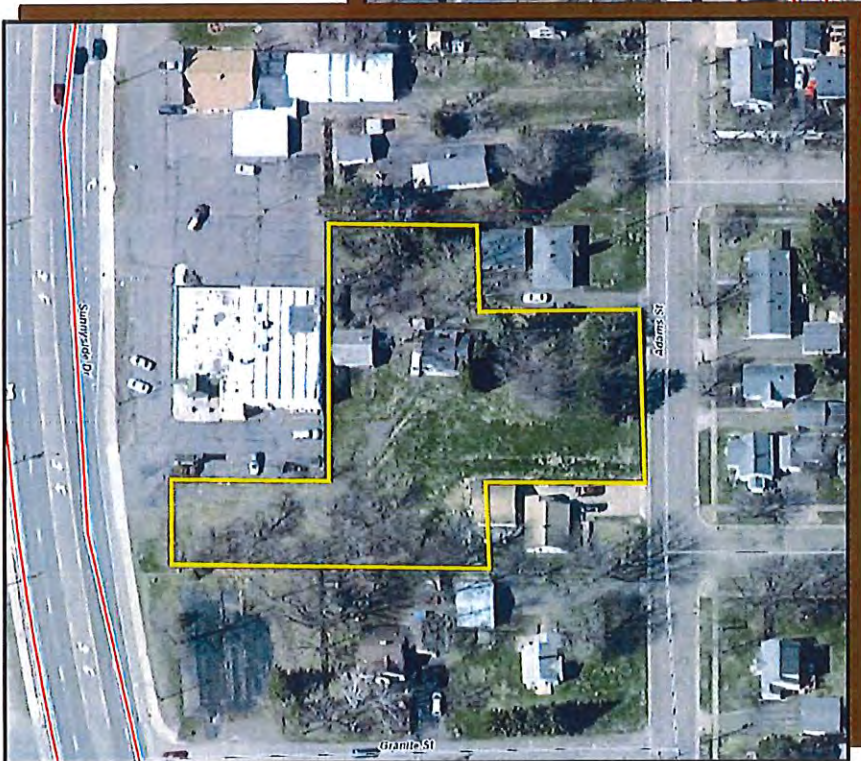
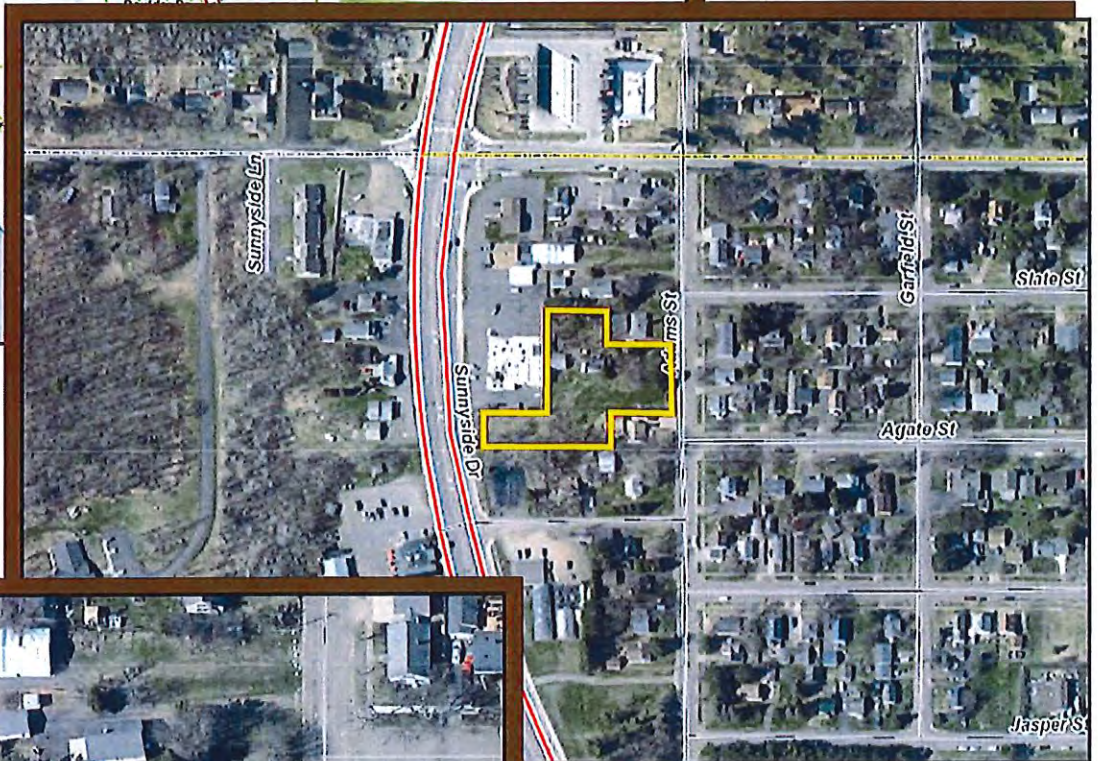
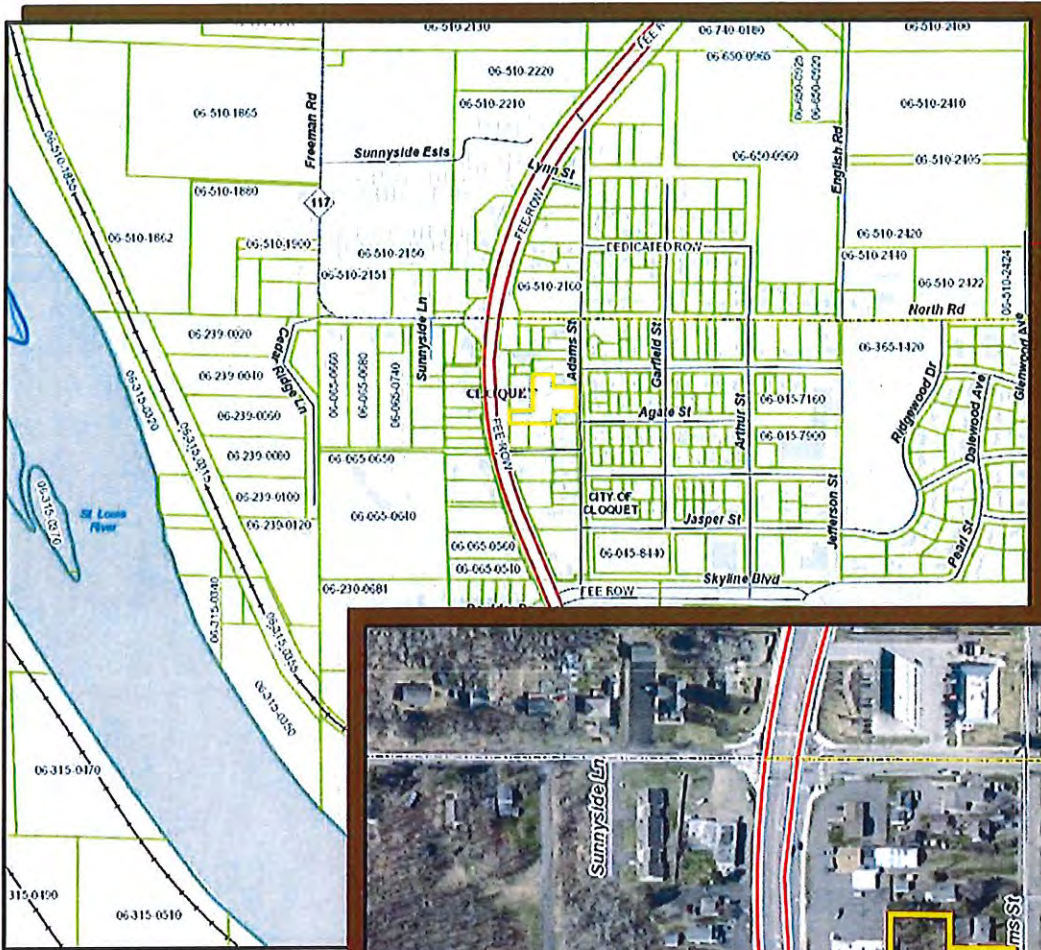
Legal Description:

Lot 7, COUNTY AUDITORS SUBDIVISION NUMBER 4 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, Except the East 115 feet of the North 61 feet; Except the South 61 feet of the East 115 feet; and, Except commencing at the Northwest corner thence South 183 feet, thence East 115 feet , thence North 183 feet, thence West 115 feet to the point of beginning.

In the city of Cloquet, County of Carlton, and State of Minnesota

A title examination confirming fee simple interest and/or liens, encumbrances or clouds of title is beyond the scope of this assignment. The legal description presented was derived from the city of Cloquet's Order to Remove Vacant Hazardous Building, signed by Mr. Matt Munter, Building Official, city of Cloquet. Delinquent real estate tax data was derived from the Carlton County Auditor's office.

For illustrative purpose, an exhibit depicted the subject's general community and neighborhood location follows.



Siam Property
 611 Adams Street
 Cloquet, Minnesota

Purpose of Appraisal:

The city of Cloquet has issued a condemnation order to remove a vacated, hazardous, single-family structure and detached garage as provided by applicable city code and state statutes. Available information indicates the property to have a clouded title and non-responsive heirs. Accordingly, anticipated costs applicable to clearance of title, demolition, payment of back taxes and other requirements appear to be the city of Cloquet's responsibility. The city of Cloquet (client) has requested an estimate of the subject's "as is" market value, which takes into consideration cost of acquisition applicable to the whole and subsequent preparation of the land for repurpose.

Market value is the major focus of most real property appraisal assignments. Both economic and legal definitions of market value have been developed and refined. The Dictionary of Real Estate Appraisal, 6th Edition. (2015), pp. 141-142 defines market value as interpreted by various agencies for various purposes, inclusive of the federally insured financial institutions (FIRREA), the Internal Valuation Standards Counsel, and Uniform Standards of Federal Land Acquisition (Yellow Book). Uniform Standards of Professional Appraisal Practice (USPAP 2020-2021) recommendations are also referenced. The Appraisal Institute indicates in its 14th Edition of The Appraisal of Real Estate, p. 58, the most widely accepted components of market value as expressed by various professional appraisal groups are incorporated into the following definition:

The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.

Intended User and Use:

The intended user of this appraisal is the city of Cloquet.

The intended use is to facilitate public acquisition of the property as defined in its "as is" condition for removal of the blighted improvement in preparation of the land for public disposition and repurpose.

Appraisal Development and Reporting Process:

The valuation procedure and reporting format are intended to be compliant with Uniform Standards of Professional Appraisal Practice (USPAP 2020-2021 Edition) Standards Rule 1 (Real Property Appraisal Development) and Standards Rule 2-2 (Appraisal Report).

The appraisal process is also intended to be compliant with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute (2015 Edition).

Acknowledging the non-complex nature of the subject property (land only), the client has requested a Minimum Damage Acquisition (MDA) appraisal report format be employed. The undersigned concurs this format is appropriate for the required task. Minimum damage acquisition (MDA) appraisal formats are defined in Article 202.7 of the Minnesota Department of Transportation (MNDOT) Right-of-Way Manual. The MNDOT appraisal standards are often employed by municipalities when acquiring non-complex privately owned properties.

Dates of Note:

Date of Property Observation:	May 11, 2020
Date of Value:	May 11, 2020
Date of Report:	June 17, 2020

Hazardous Substances:

The term "Hazardous Substance" shall mean and include any element, compound, mixture, solution or substance regulated by a federal, state or local law, rule or regulation because of its toxicity, corrosiveness, reactivity, ignitability or carcinogenic effect and shall include petroleum, natural gas and derivative of synthetics thereof. Unless otherwise stated in this report, the existence of hazardous substances, which may or may not be present on the property was not called to the attention of nor did the undersigned become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to test for such substances. The presence of such hazardous substances may affect the property's market value. The value opinion developed herein is predicated on the assumption that no such hazardous substances exist on or in the property or in such proximity thereto which would cause a loss in value. No responsibility is assumed for any such hazardous substance or for any expertise or knowledge required to discover them.

Effective the date of site observation, diverse debris, equipment, and apparently abandoned vehicles were on-site. The garage interior, viewed through the window, also appears to contain diverse storage. Absent a history of what may have occurred on-site, it is fully anticipated the city of Cloquet will be required to complete, at the very least, a Phase I Environmental Report.

History of the Property:

Available information indicates the property has been in Ms. Siam's ownership for decades. For the past decade ±, it has been unoccupied and, over time, fully deteriorated. It has not been bought or sold within the past five years.

Scope of Appraisal:

The undersigned was retained by Ms. Holly Hansen, EDFP/AICP, Community Development Director, city of Cloquet, on behalf of the city to appraise the subject property for the stated purpose. Supplementary information pertaining to the city condemnation of the property due to its abandoned, deteriorated condition was also provided. The undersigned observed the subject on May 11, 2020. Subsequently, data applicable to the subject's zoning, land use opportunity, ad valorem tax and assessment data, etc. was researched from public record. Market research focused on undeveloped land sales from within the subject's competitive market. Other sources included Board of Realtors MLS data and State of Minnesota eCRVs. Influences of the community's economic, demographic, and general land use characteristics were also considered.

All factors relevant to an appropriate valuation procedure for the nature of the subject property and purpose of this appraisal were considered herein.

Carlton County Data:

Carlton County was established in its current boundary in 1857. Its geopolitical characteristics include 24 townships of which 19 are organized and 5 unorganized. The county has ten cities, the largest being Cloquet. The others are widely dispersed within the county and function as central cities within their region. Carlton is the county seat. Historically, the county's population was of an agrarian society. Although agriculture and forest management remains an integral part of its landscape, over recent decades, such use is giving way to fractionalization of the landscape for recreational and rural residential development. The county remains sparsely populated with a ratio of 35± persons per square mile. Carlton County is well known for the devastating fire of 1918, which raged through the region at great loss of human life and property.

Current labor statistics for Carlton County indicate an unemployment rate of 10.7% for April 2020. This compares to 4.8% experienced in April 2019.

Cloquet Area:

Cloquet is known as the City of Wood Industries and is situated in northeastern Minnesota approximately 135 miles north of Minneapolis – St. Paul and 18 miles southwest of Duluth. It is the largest city in Carlton County and local population has had the following pattern.

<u>Area</u>	<u>1980</u>	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2018</u>
Cloquet	11,142	10,885	11,201	12,124	12,022
Carlton County	29,936	29,259	31,671	35,386	35,837

Cloquet's population declined between 1980 and 1990, but gained a modest growth since. Carlton County as a whole indicates positive growth, much of which relates to retiree in-migration to the county's recreational lakes and residential development in Esko.

The community of Cloquet is located on the St. Louis River, which has been utilized as a water resource for the wood products industry prevalent in the community. Economic wellbeing in the city is dependent upon the fortunes of the wood products business with the largest employer being Sappi Corporation (formerly Potlatch).

Cloquet is serviced by rail, has its own general aviation airport and abuts the northerly side of Interstate 35 with two access points to this highway. Minnesota Highway 33 bisects a westerly part of the city in a north-south direction. This highway links Interstate 35 to the south with U.S. Highway 53 to the north. Highway 53 links Cloquet with Minnesota's "Iron Range" community 60 miles northward and the U.S. Canadian international border beyond.

Neighborhood Data:

The subject is in the Sunnyside Neighborhood of North Cloquet, a residential/commercial suburb of the city. This neighborhood lay northward of the Cloquet River, which meanders through the city as a whole. A portion of the subject abuts the easterly side of Highway 33, a commercial corridor which runs north-south through the city and links Interstate 35 at the south to U.S. 53 and northern Minnesota to the north.

In the subject's community, the Highway 33 corridor presents diverse small businesses inclusive of Gordy's Restaurant, Sammy's Pizza, several auto service centers, Kwik Trip refueling station, professional offices, and an oriental restaurant which abuts a portion of the subject's westerly boundary. North Road (east-west), ½ block north of the subject, links Highway 33 eastward to the community of Esko and Midway Road, another primary north-south connector. Granite Street (east-west) lay ½ block south of the subject and provides access from the abutting residential community to Highway 33. Cloquet's Community Memorial Hospital center is located 4± blocks south-southeast of the subject on the northerly banks of the Cloquet River. Churchill Elementary, a Cloquet public school, is located 3 blocks east of the subject. With the exception of the Highway 33 commercial corridor, which lay west of the subject, the remaining community is residential.

Property Description:

The property abuts the westerly side of Adams Street and a small portion extends westward to Highway 33. Project exhibits depict and field observation concurs the property is irregular in shape. Absent a survey, the undersigned has estimated the subject's dimensional standards using the Carlton County GIS measurement system. It appears the property approximates 48,000± square feet. Its location address is on Adams Street with 120± feet of frontage. It also features 60± feet of frontage on the easterly side of Highway 33 adjacent to the oriental restaurant. Since the age of the now-defunct subject dwelling precedes abutters 601 and 619 Adams, it is supposed that these homesites at one time were likely severed from the subject's larger parcel. The land is level at grade, serviced by all municipal utilities, and suitable for diverse repurpose. Its westerly "leg", which abuts the restaurant and lay within a highway commercial zone, is of 7,000± square feet. The remainder of the whole is of 41,000± square feet. It is understood a registered survey may differ in dimensional standards from that expressed herein. However, lacking such information, the undersigned's land area estimate prevails for the purpose of this analysis. Project exhibits depict the subject's land characteristics and defunct nature of remainder improvements.

Municipal Data:

Real Estate Tax Data: Information obtained from the Carlton County Auditor's office indicates the subject is identified by PIN 06-065-0220. The 2019 assessed market value for real estate taxes payable in 2020 is estimated to be \$22,000. This value is applicable to land only as the contributory value of the defunct, condemned improvements are excluded. The 2020 real estate taxes payable are \$409.32 (includes penalty for first half of taxes due), under Residential classification. In addition, there are delinquent taxes in the amount of \$342.27. The total tax obligation is \$751.59. These figures are effective until the end of June 2020.

Zoning: The subject is wholly encumbered by a Mixed Residential/Commercial district—MRC. Article 17.6.09 of City of Cloquet Code, Chapter 17 indicates this district is intended to integrate permitted uses within the RC zoning district, provided they have frontage along Highway 33 with a mixture of residential uses. It is intended to allow for additional residential housing with the expectation that higher density residential would be closer to the commercial uses and transition to a lower density residential the further the distance from the commercial development. The dimensional regulations for this district are to be identical to the dimensional requirements of the zoning district in the chapter that best resembles the use of the said parcel as determined by the city planners/zoning administrators or planning commission of the city. For example, the dimensional requirements for single-family detached dwelling shall meet the requirements for a single-family detached dwelling in the R-1 Single-Family Residential district. Standards applicable to this district is presented in the Addenda.

Predicated on the subject's historical use as a single-family residence as well as its primary accessibility and visual linkage with the residential environs of Adams Street, the city of Cloquet Development office indicates low density (single-family/duplex) use of the property would be preferred by the community and administration alike.

Highest and Best Use:

In its The Dictionary of Real Estate Appraisal, 6th edition, p. 109 defines Highest and Best Use as:

The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.

Albeit the subject is irregular in shape, its 48,000± square foot site affords opportunity for diverse repurpose. Based on city administration as well as community member preference, such use would likely focus towards low density residential. Under said use, interior access/egress linkage with Highway 33 would be discouraged. Rather, since both Highway 33 abutters are land undersized, disposition of the subject's westerly "leg" to those parties would be beneficial.

Taking into consideration various aspects of use opportunity available to the subject, as well as the uninhabitable, condemned condition of existing site improvements, the highest and best use of the subject property is to raze existing improvements and prepare the site for community accepted residential repurpose.

Valuation Procedure:

Traditional real property appraisal procedure generally consists of three primary valuation techniques, the Cost, Income Capitalization and Sales Comparison approaches to value. The nature of the subject property and availability of meaningful data influence the most appropriate technique to be employed.

Historically, the subject property as a whole has functioned for single-family residential use. At present its improvements are physically/functionally depleted, uninhabitable, and under condemnation by the city of Cloquet. Albeit, a westerly portion of the whole is encumbered by a NC-Neighborhood Commercial zone and the majority remainder is MRC-Mixed Residential Commercial use, the land's primary frontage, access and focus is towards the Adams Street residential neighborhood. Accordingly, both the CDCDA department and community input opine the land's future use to be residential to the degree permitted by MRC-Mixed Residential/Commercial district standards.

Recognizing the subject's most probable highest and best use, market research focused on the sale of undeveloped residential land within the competitive Cloquet market. This process resulted in four observations sold between April 2016 and August 2019. Each was acquired for residential development. A matrix depicting these observations follows.

#	PID	Auditor ID	Sale Date	Price	Size Sq. Ft.	\$/Sq. Ft.	Use
1	06-325-0040	42975	08-28-2019	\$18,000	7,872	2.29	Res
2	06-290-2580	41635	03-09-2018	9,000	6,480	1.39	Res
3	06-045-0820+	40086	07-07-2018	48,000	21,000	2.29	Res
4	06-350-0560	39865	04-13-2016	26,000	13,939	1.86	Res

The four observations were all located within core residential areas of the city. Observation #1 is located south of the river and west of the Highway 33 commercial corridor within a first tier residential suburb to the original townsite. It is located within a residential community of mixed, single-family architectural styles and was acquired for residential development purpose. It is level at street grade and serviced by all municipal utilities.

Observation #2 is located south of the river within a core area of the city's original residential community. The site is level at road grade, accessed by municipal street as well as public alleyway, serviced by all utilities and was acquired for residential development purpose.

Observation #3 is located north of the river and east of the Highway 33 corridor, within two blocks of the subject. This location is within a predominantly post WWII suburb of the city. It is convenient to public school and the city's medical complex. The site has a corner location, level at road grade, serviced by all utilities and acquired for residential development purpose. It is also the largest of the four sale observations.

Observation #4 is located in a southeasterly sector of the city near the city of Scanlon and northwest of I-35. This second tier suburb is comprised mostly of post WWII architecture, inclusive of continuing buildout. The lot, within an expanding residential community, is level at a cul de sac street grade, serviced by all utilities, and was acquired for residential development.

Although the market observations vary in neighborhood specific and size, all are consistent in purpose, which is to accommodate residential development. The information provides opportunity to complete a relative comparison analysis which depicts the subject's most probable range in value expectation from a "shovel ready" perspective. The four observations vary in size from 6,480 square feet to 21,000 square feet. In the analysis of undeveloped, residential development lots, a common unit of comparison is the price paid per square foot of land area. The four observations vary in price from \$1.39 to \$2.29 per square foot. Of the four, Observation #3 is most competitive in size and is located two blocks from the subject. It is not, however, abutting an active commercial corridor as is the subject.

In those circumstances, where monetary adjustments cannot be reasonably abstracted and supported for market observations, the alternative is to employ a relative comparison analysis. This process employs ± indicators, which depict differing attributes between the subject property and market derived observations. A matrix and summary data applicable to this process follows.

Relative Comparison Analysis

Observation	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Price	\$2.29	\$1.39	\$2.29	\$1.86
Sale Price	0	+	+	+
Community	0	+	0	0
Location	-	-	-	-
Size	+	+	0	+
Use	+	+	0	+
Indicated \$/Sq. Ft. Range	<u>\$2.29</u>	<u>\$1.39</u>	<u>\$2.29</u>	<u>\$1.86</u>
Adj. Range	+1	+3	0	+2

The preceding relative comparison analysis matrix indicates the four observations, all acquired for residential development, were marketed between \$1.39 to \$2.29 per square foot. Three of the four observations were between \$1.86 and \$2.29. The relative comparison concluded Observations #1, #2, and #4 were generally inferior to the subject, primarily due to their size, which resulted in influencing full development opportunity. The subject is of 48,000± square feet with 120± feet of frontage on Adams Street. This size affords greater diversity in use opportunity.

The subject, as noted, is of 48,000 square feet in size. While the land features limited frontage on Highway 33, its primary focus and frontage is along Adams Street. The land is level at street grade, serviced by all municipal utilities, and suitable for diverse residential repurpose (single family, duplex, etc.). Assuming the land to be cleared of presently condemned improvements, environmentally compatible and ready for repurpose, because of the super-adequate size, it would likely find market acceptance at a range in price expectation of \$1.40 to \$1.50 per square foot of land area. Applying these factors results in the following unimpaired, market-ready market value estimate.

48,000 square feet @ \$1.40 per square foot = \$67,200
 48,000 square feet @ \$1.50 per square foot = \$72,000
 Estimated “as is” land value is stabilized at \$68,000

The purpose of this appraisal is to estimate “as is” value of the subject land as impaired by the condemned improvements, required environmental analysis, site preparations necessary for repurpose and associated legal/delinquent tax payments, etc. In other words, what would a knowledgeable buyer likely pay for the land in its “as is” condition, knowing full well there will be significant costs incurred to bring the property to a “shovel ready” market value?

Although actual estimates are not available, costs associated with condemnation, site remediation, etc. as allocated herein, are derived from general expectation of the city predicated on past events, market expectation and reasonable expectation for the subject. They are summarized as follows.

Condemnation and Administrative Related Costs

Condemnation Action	\$20,000	
Demolition	16,000	
Environmental Remediation	6,000	
Property Survey	3,500	
Back Taxes (thru June 2020)	752	
Electric Power Relocation	5,000	
Market Notice	6,000	
Total	\$57,252	(rounded) \$58,000

Projected costs must be discounted from the estimated unimpaired market value to reflect the subject's "as is" impaired value. This process follows.

Unimpaired market value	\$68,000
Less cost to remediate	<u>(58,000)</u>
	\$10,000

For purposes herein, a most probable "as is" market value applicable to the subject land as impaired can be stabilized at:

TEN THOUSAND DOLLARS
(\$10,000)

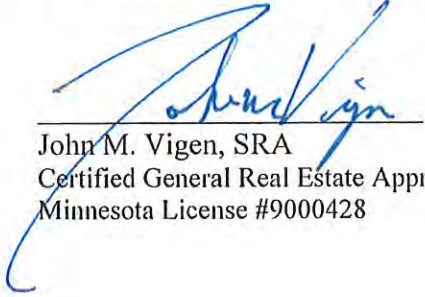
COVID-19:

A worldwide pandemic of Coronavirus disease 2019 (COVID-19) was first confirmed to have spread to the United States in January 2020. Cases are now confirmed in all 50 states and on the increase. Effective March 25, 2020, a growing number of states have issued "shelter in place" orders in an attempt to delay the spread of the COVID-19 virus. The economic impact of this pandemic on current or future real estate value is uncertain as of the date of this report. Analytical assumptions presented herein are based on historic pre-pandemic market conditions.

CERTIFICATION:

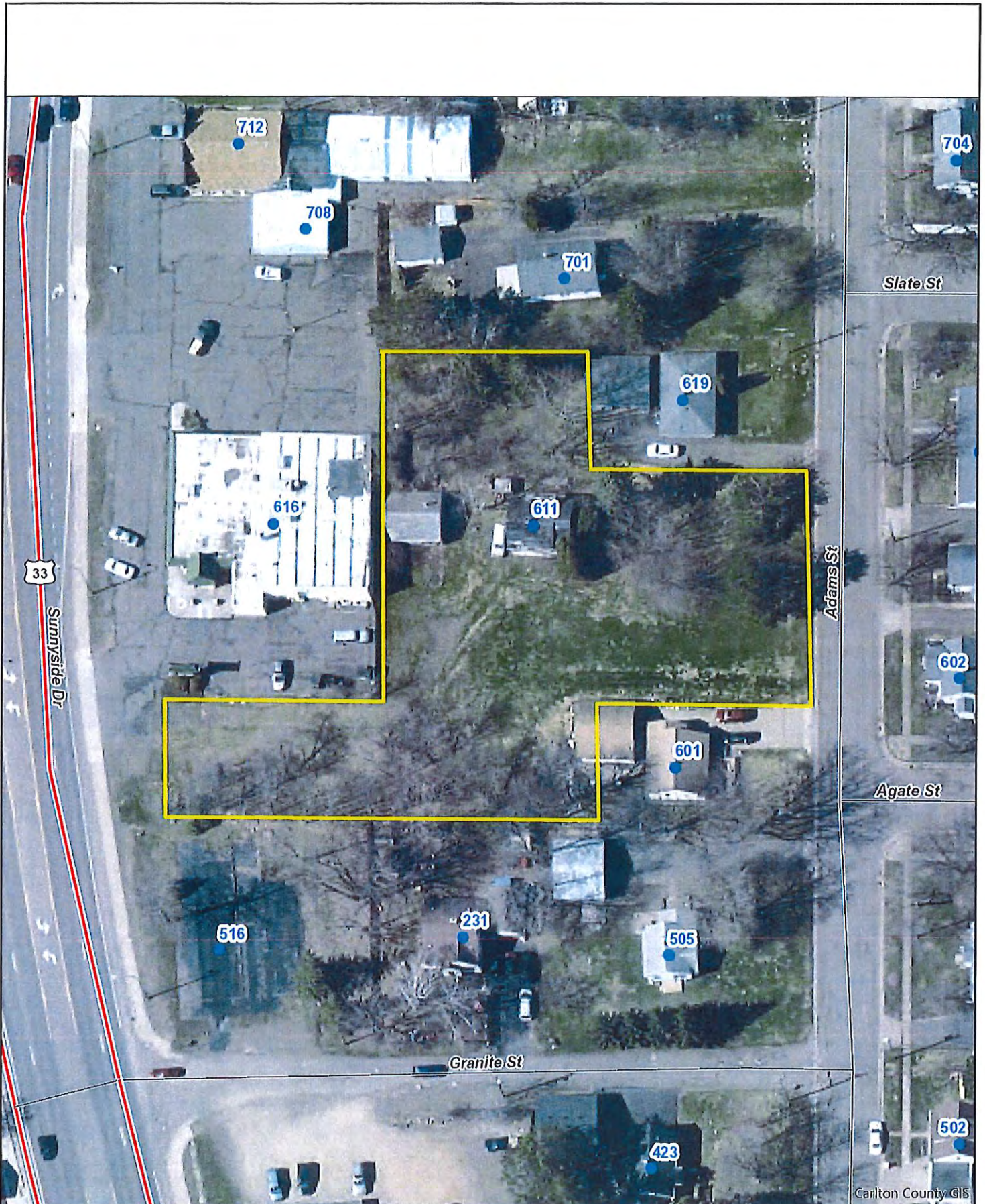
I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions and conclusions were developed; and this report has been prepared in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The reported analyses, opinions and conclusions were developed, and this report has been prepared in conformity the Uniform Standards of Professional Appraisal Practice.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal, appraisal review, or appraisal consulting assistance to the person signing this certification.
- As of the date of this report, I, John M. Vigen SRA, have completed the requirements of the continuing education program for Designated Members of the Appraisal Institute.



John M. Vigen, SRA
Certified General Real Estate Appraiser
Minnesota License #9000428

ADDENDA

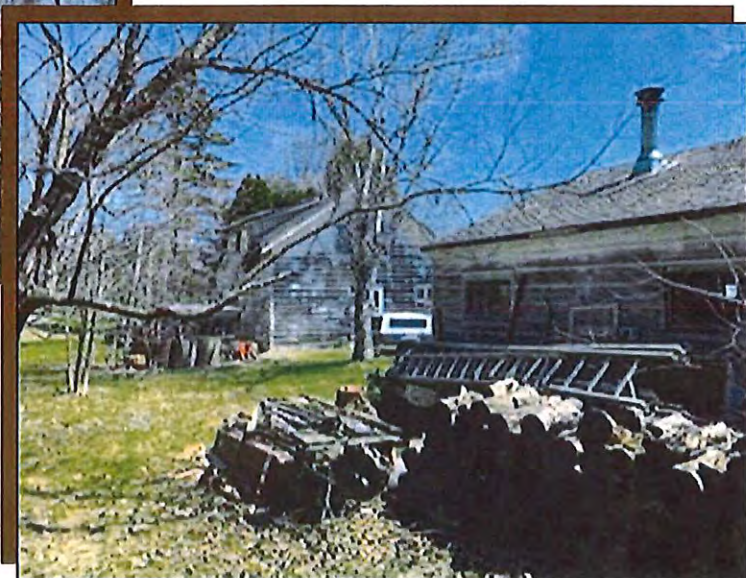
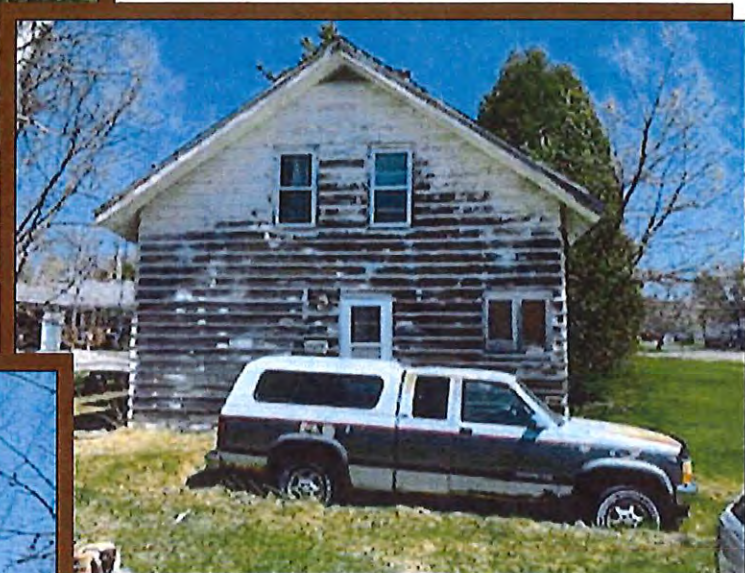
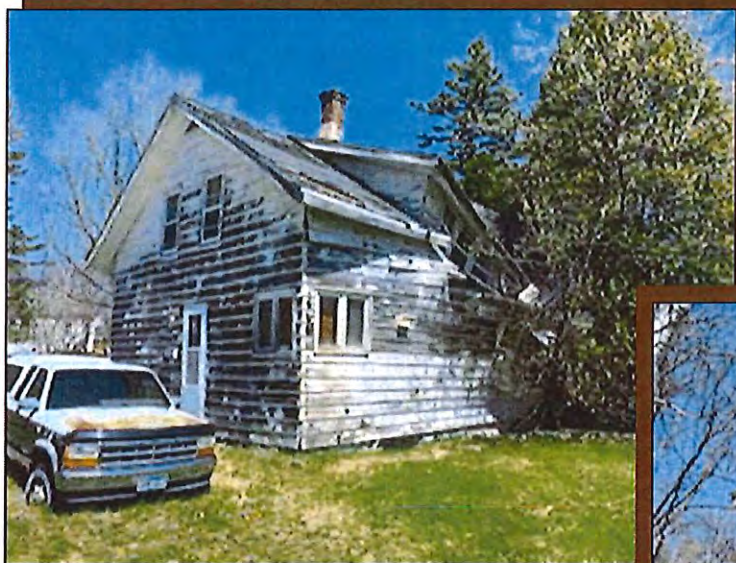


This data is provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose. Not for survey purposes.

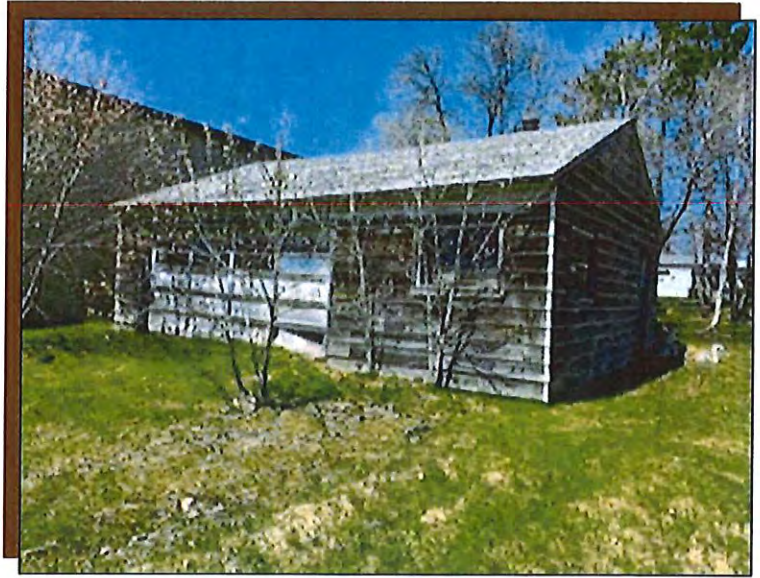


Carlton County, MN

Date: 6/17/2020



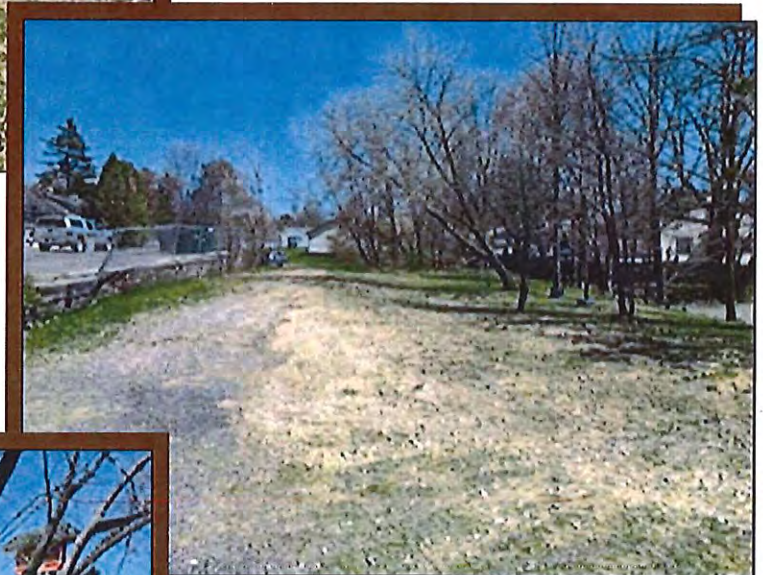
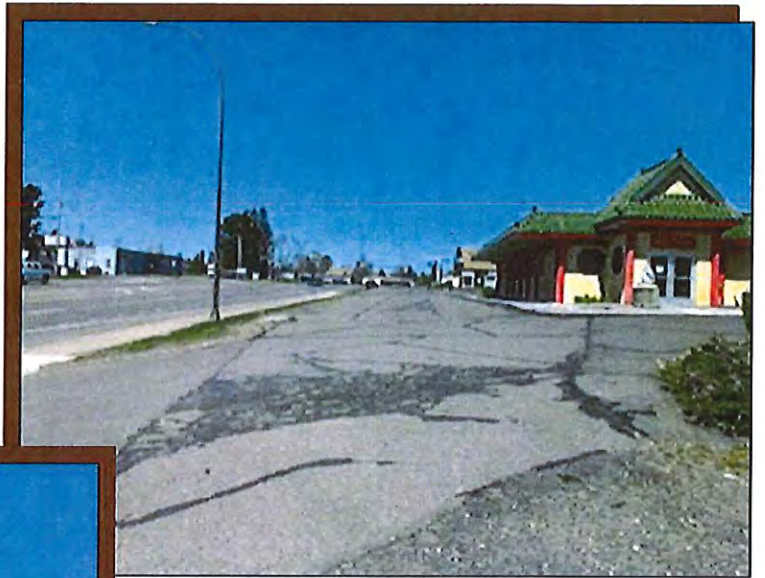
611 Adams Street
Cloquet, Minnesota



611 Adams Street
Cloquet, Minnesota



611 Adams Street
Cloquet, Minnesota



Download PDF Report

View Summary for Completed eCRV ID 1002212

County: Carlton Auditor ID: 42975

Submit Date: 08/28/2019 9:19 AM Accept Date: 08/29/2019 11:41 AM

Buyers Information

Person name: Adam Flersch
 Address: 1015 Poplar Avenue, Cloquet, MN 55720 United States
 Foreign address: No
 Phone number: (218) 348-2102 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Person name: Skye Flersch
 Address: 1015 Poplar Avenue, Cloquet, MN 55720 United States
 Foreign address: No
 Phone number: (218) 348-2102 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Sellers Information

Person name: Marc Rathala
 Address: 802 Hawthorne St, Cloquet, MN 55720 United States
 Foreign address: No
 Phone number: (218) 879-1373 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Property Information

County: Carlton
 Legal description: Lot Two, CITY OF CLOQUET POLLAKS DIVISION
 Deeded acres: 0.18
 Will use as primary residence: No
 What is included in the sale: Land only
 New construction: No

Property Location(s)

Property location: xxx, Cloquet, 55720

Preliminary Parcel IDs

Parcels to be split or combined: No
 Primary parcel ID: 06-325-0040
 Additional parcel ID(s):

Use(s)

Planned use: Unimproved/Vacant Land / Residential
 Primary use: Yes
 Prior use: Unimproved/Vacant Land / Residential

Sales Agreement Information

Deed Type: Warranty Deed
 Date of Deed or Contract: 08/28/2019
 Purchase amount: \$18,000.00
 Downpayment amount: \$0.00
 Seller-paid amount: \$0.00
 Delinquent Special Assessments and Delinquent Taxes Paid by Buyer: \$0.00
 Financing type: Cash

Personal Property

Personal property included: No

Sales Agreement Questions

Buyer leased before sale:	No	Lease option to buy:	No
Seller leased after sale:	No	Minimum rental income guaranteed:	No
Partial interest indicator:	No	Contract payoff or deed resale:	No
Received in trade:	No	Like exchange (IRS section 1031):	No
Purchase over two years old:	No		

✓

Supplementary Information

Buyer paid appraisal:	No	Appraisal value:	\$0.00
Seller paid appraisal:	No	Appraisal value:	\$0.00
Buyer and seller related:	No	Organization tax exempt:	No
Government sale:	No	Foreclosed, condemned or legal proceedings:	No
Gift or inheritance:	No	Name change:	No
Buyer owns adjacent property:	Yes		
Public promotion:	No	Comment:	Neighbors
Significant different price paid:	No		
Comment on price difference:			

Submitter Information

Submit date: 08/28/2019 9:19:56 AM
 Submitter: Keith Carlson
 Organization: Keith M. Carlson Law Firm
 Email: keithmcarlsonlaw@hotmail.com
 Phone number: (218) 879-1373
 Comments:

Terms Accepted by the Submitter:

I declare under penalty of law that I have examined the information entered and submitted on this form, and, based on what I know and believe to be true, the information entered on this form is complete and correct.

County Data Information

County ID: 09
 Deed type code: Warranty Deed
 Deed document ID:
 Sales agreement net amount: \$18,000.00

Sales Price Adjustment(s)

Property Attributes

Year structure built:		Parcel new construction percent:	
Gross Building Area:		Deeded acres:	0.18
Parcel water influence:	None		
Neighborhood code:			
Exempt wetland:	No		
Exempt native prairie:	No		

Property Type(s)

Property Group: Residential
 Property Type: Residential - Residential Homestead
 Primary type: Yes Exempt: No
 Contributing parcels: 1

County Assessment

Land value:	\$12,200.00	Assessment Year:	2019
Building value:	\$0.00		
Total market value:	\$12,200.00		

County Recommendation for County Study

Good for study: Yes

County Recommendation for State Study

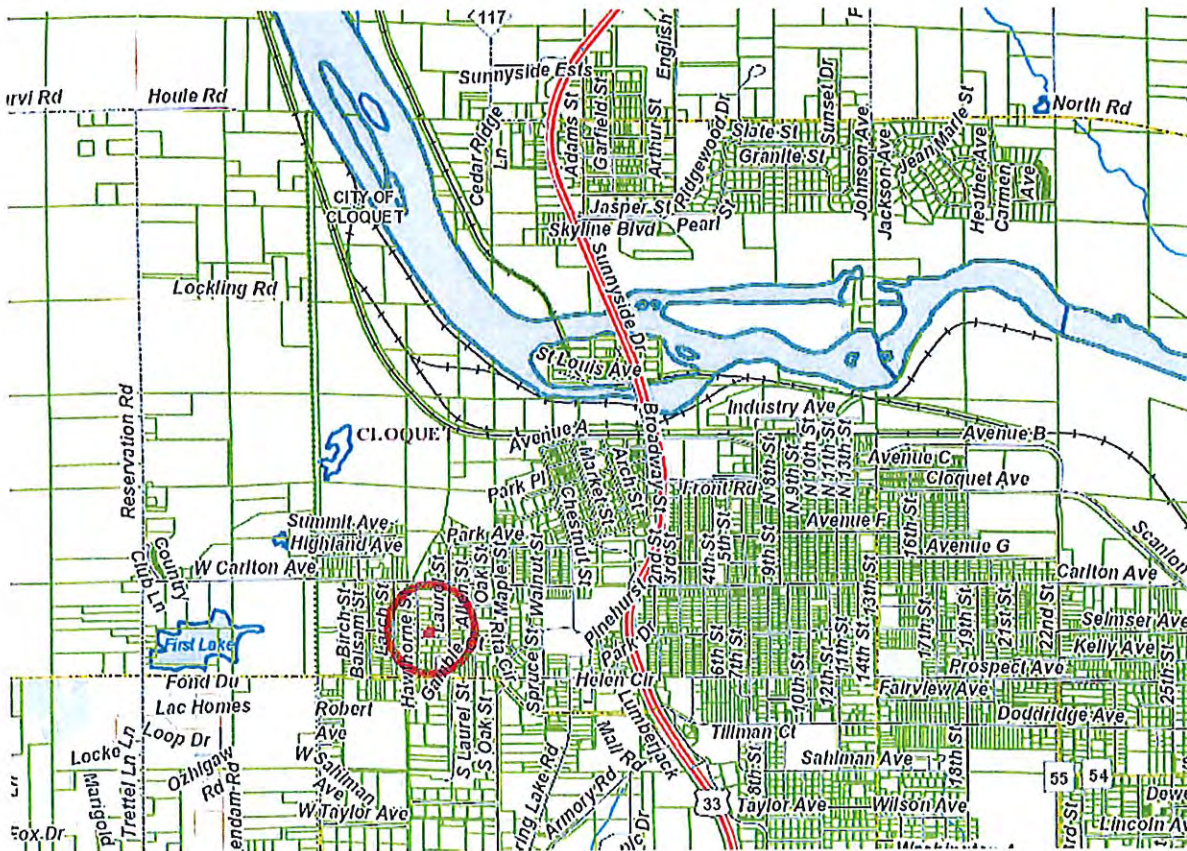
Good for study: Yes

Notes:

Final Parcels

(primary parcel listed first)

Parcel ID:	06-925-0040	Seq:	
Jurisdiction:	Cloquet	SD:	Cloquet
CER:		CPI:	



Download PDF Report

View Summary for Completed eCRV ID 782861

County: Carlton Auditor ID: 41635

Submit Date: 03/09/2018 1:48 PM Accept Date: 03/14/2018 11:59 AM

Buyers Information

Person name: Travis Farleigh
Address: 608 Carlton Ave, Cloquet, MN 55720 US
Foreign address: No
Phone number: 2182697010 Email:
*** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Sellers Information

Person name: Pentti T Antila
Address: 6415 Old Hwy 2, Proctor, MN 558010 US
Foreign address: No
Phone number: 2183900161 Email:
*** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Property Information

County: Carlton
Legal description: Lot 18, Block 12, NORTHERN LUMBER CO EASTERN DIVISION OF CLOQUET, MINNESOTA, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said County and State.
Deeded acres: 0.15
Will use as primary residence: No
What is included in the sale: Land only
New construction: No

Property Location(s)

Property location: 126 11th St, Cloquet, 55720

Preliminary Parcel IDs

Parcels to be split or combined: No
Primary parcel ID: 06-290-2580
Additional parcel ID(s):

Use(s)

Planned use: Unimproved/Vacant Land / Residential
Primary use: Yes
Prior use: Unimproved/Vacant Land / Residential

Sales Agreement Information

Deed Type: Warranty Deed
Date of Deed or Contract: 03/09/2018
Purchase amount: \$9,000.00
Downpayment amount: \$9,000.00
Seller-paid amount: \$0.00
Delinquent Special Assessments and Delinquent Taxes Paid by Buyer: \$0.00
Financing type: Cash

Personal Property

Personal property included: No

Sales Agreement Questions

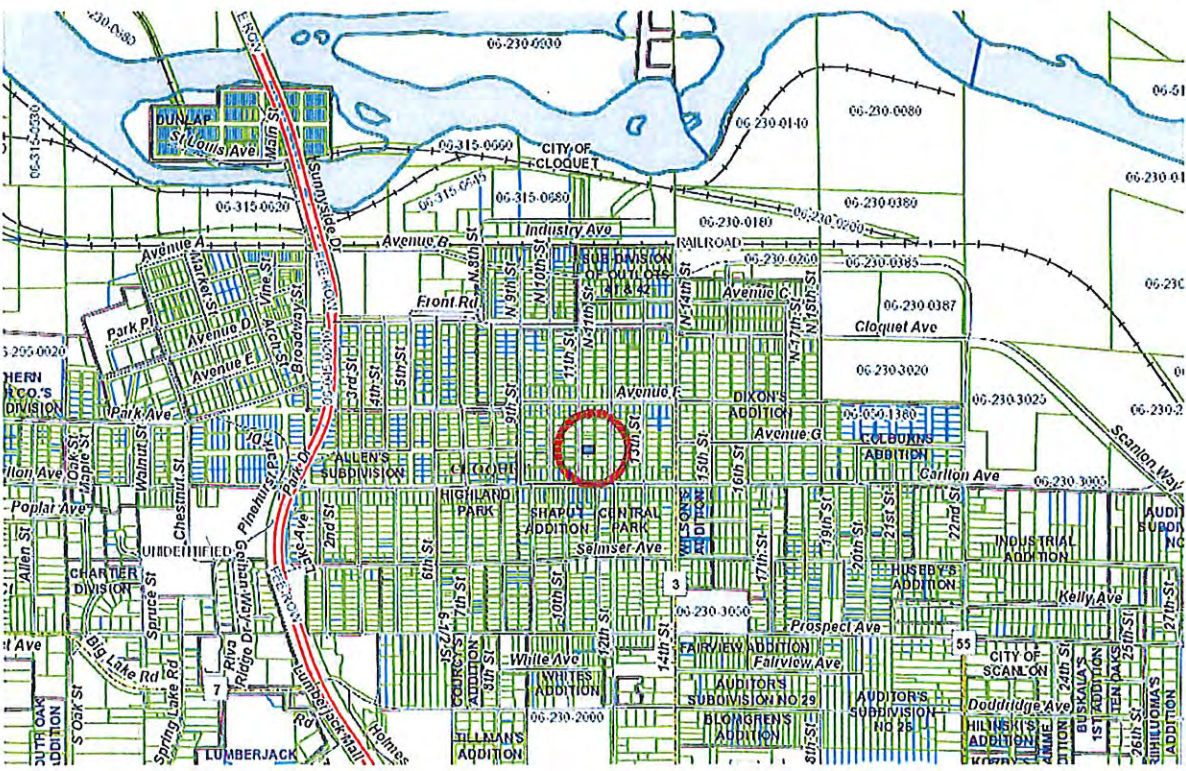
Buyer leased before sale: No Lease option to buy:
Seller leased after sale: No Minimum rental income guaranteed: No
Partial Interest Indicator: No Contract payoff or deed resale: No
Received in trade: No Like exchange (IRS section 1031): No
Purchase over two years old: No

Supplementary Information			
Buyer paid appraisals:	No	Appraisal value:	\$0.00
Seller paid appraisals:	No	Appraisal value:	\$0.00
Buyer and seller related:	No	Organization tax exempt:	No
Government sale:	No	Foreclosed, condemned or legal proceedings:	No
Gift or inheritance:	No	Name change:	No
Buyer owns adjacent property:	No		
Public promotion:	Yes		
Significant different price paid:	No		
Comment on price difference:			

Submitter Information	
Submit date:	03/09/2018 1:48:25 PM
Submitter:	Tammy Giroux
Organization:	
Email:	tgiroux@carltoncoabstract.com
Phone number:	2188793454
Comments:	

Terms Accepted by the Submitter:
 I declare under penalty of law that I have examined the information entered and submitted on this form, and, based on what I know and believe to be true, the information entered on this form is complete and correct.

County Data Information			
County ID:	09		
Deed type code:	Warranty Deed		
Deed document ID:			
Sales agreement net amount:	\$9,000.00		
Sales Price Adjustment(s)			
Property Attributes			
Year structure built:		Parcel new construction percent:	
Gross Building Area:		Deeded acres:	0.15
Parcel water influence:	None		
Neighborhood code:			
Exempt wetland:	No		
Exempt native prairie:	No		
Property Type(s)			
Property Group:	Residential		
Property Type:	Residential - NonHomestead - Unimproved Residential Land		
Primary type:	Yes	Exempt:	No
Contributing parcels:	1		
County Assessment			
Land value:	\$15,300.00	Assessment Year:	2017
Building value:	\$0.00		
Total market value:	\$15,300.00		
County Recommendation for County Study			
Good for study:	Yes		
County Recommendation for State Study			
Good for study:	Yes		
Notes:			
Final Parcels			
(primary parcel listed first)			
Parcel ID:	06-290-2580	Seq:	
Jurisdiction:	Cloquet	SD:	Cloquet
CER:		CPI:	



Download PDF Report

View Summary for Completed eCRV ID 528623

County: Carlton Auditor ID: 40086

Submit Date: 07/08/2016 7:32 AM Accept Date: 07/08/2016 9:58 AM

Buyers Information

Organization name: Bonneville Properties, LLC, a Minnesota limited liability corporation
 Address: 2254 Cty Rd. 161, Carlton, MN 55718 US
 Foreign address: No
 Phone number: 2183910856 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Sellers Information

Person name: Russell H Grover
 Address: 1881 E. Chubb Lake Rd., Carlton, MN 55718 US
 Foreign address: No
 Phone number: 2184288733 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Person name: Susan M Grover
 Address: 1881 E. Chubb Lake Rd., Carlton, MN 55718 US
 Foreign address: No
 Phone number: 2184288733 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Property Information

County: Carlton
 Legal description: PARCEL 1: The East 50 feet of the West 200 feet of the North 1/2 of Block 128, in the VILLAGE, NOW CITY OF CLOQUET, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said County and State. PARCEL 2: A parcel of land in Block 128, VILLAGE OF CLOQUET, NOW CITY, described as follows: Commencing at the Northeast corner of Block 128 in Northeast 1/4 of Northwest 1/4, Section 14, Township 49, Range 17, thence due West along the North line of said Block 128 for a distance of 100 feet for a point of beginning, thence South for a distance of 100 feet, thence West a distance of 60 feet, thence North a distance of 100 feet, thence East along the North line of said block a distance of 60 feet to the point of beginning. PARCEL 3: The North 100 feet of the Easterly 100 feet of Block 128 in the VILLAGE, NOW CITY, OF CLOQUET, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said County and State
 Deeded acres: 0.48
 Will use as primary residence: No
 What is included in the sale: Land only
 New construction: No
 Property Location(s): 414
 Property location: 814 Granite Street, Cloquet, 55720
 Preliminary Parcel IDs
 Parcels to be split or combined: No
 Primary parcel ID: 06-045-8040
 Additional parcel ID(s): 06-045-8020, 06-045-8200
 Use(s)
 Planned use: Residential / Unimproved/vacant land /Residential
 Primary use: Yes
 Prior use: Residential / Unimproved/vacant land /Residential

Sales Agreement Information

Deed Type: Warranty Deed
 Date of Deed or Contract: 07/07/2016
 Purchase amount: \$48,000.00
 Downpayment amount: \$48,000.00
 Seller-paid amount: \$0.00
 Delinquent Special Assessments and Delinquent Taxes Paid by Buyer: \$0.00
 Financing type: Cash

Personal Property
 Personal property included: No

Sales Agreement Questions

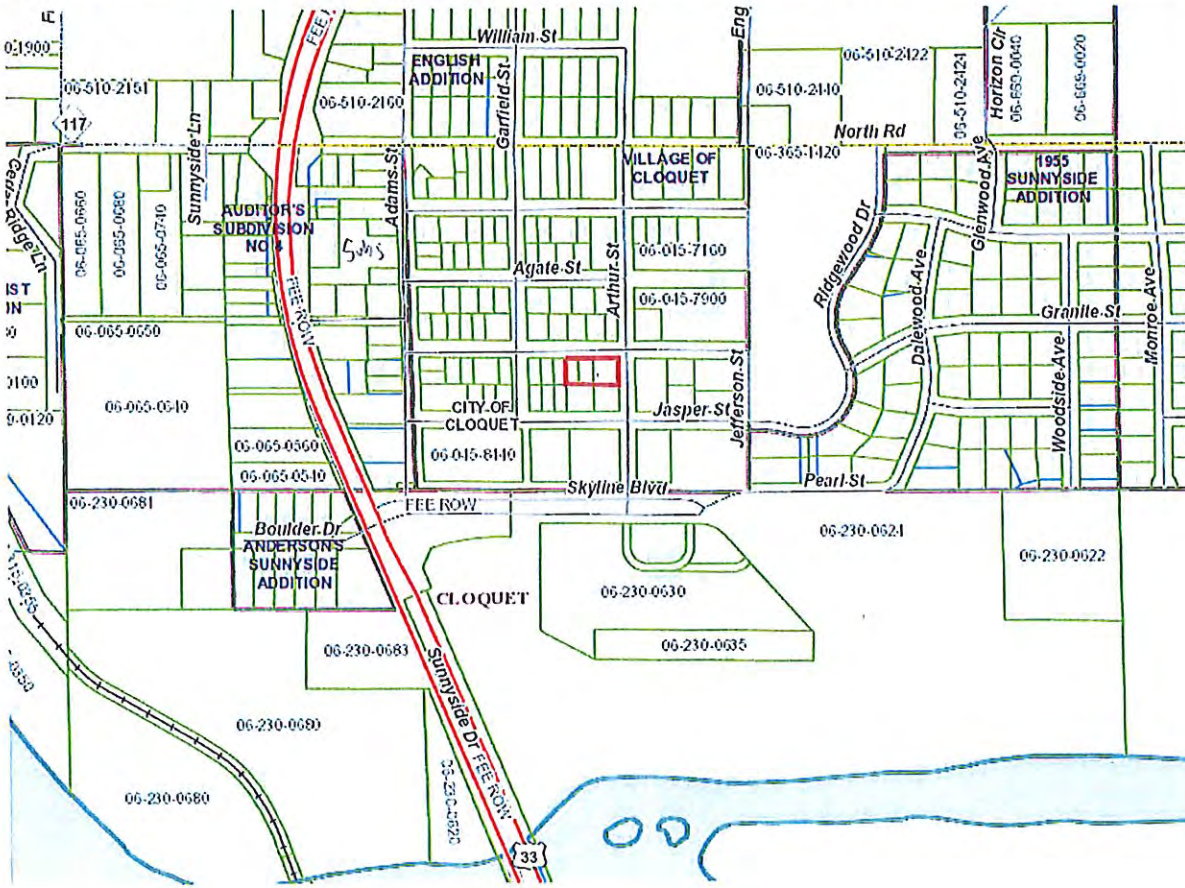
Buyer leased before sale: No
 Seller leased after sale: No
 Partial interest indicator: No
 Received in trade: No
 Purchase over two years old: No
 Lease option to buy: No
 Minimum rental income guaranteed: No
 Contract payoff or deed resale: No
 Like exchange (IRS section 1031): Yes

Supplementary Information			
Buyer paid appraisal:	No	Appraisal value:	\$0.00
Seller paid appraisal:	No	Appraisal value:	\$0.00
Buyer and seller related:	No	Organization tax exempt:	No
Government sale:	No	Foreclosed, condemned or legal proceedings:	No
Gift or inheritance:	No	Name change:	No
Buyer owns adjacent property:	No		
Public promotion:	No	Comment:	word of mouth
Significant different price paid:	No		
Comment on price difference:			

Submitter Information	
Submit date:	07/08/2016 7:32:26 AM
Submitter:	Michelle Reponen
Organization:	Carlton County Abstract & Title Company
Email:	mreponen@carltoncoabstract.com
Phone number:	2188793454
Comments:	

Terms Accepted by the Submitter:
 I declare under penalty of law that I have examined the information entered and submitted on this form, and, based on what I know and believe to be true, the information entered on this form is complete and correct.

County Data Information			
County ID:	09		
Deed type code:	Warranty Deed		
Deed document ID:			
Sales agreement net amount:	\$48,000.00		
Sales Price Adjustment(s)			
Property Attributes			
Year structure built:		Parcel new construction percent:	
Gross Building Area:		Deeded acres:	0.48
Parcel water influence:	None		
Neighborhood code:			
Exempt wetland:	No		
Exempt native prairie:	No		
Property Type(s)			
Property Group:	Residential		
Property Type:	Residential - NonHomestead - Unimproved Residential Land		
Primary type:	Yes	Exempt:	No
Contributing parcels:	3		
County Assessment			
Land value:	\$47,900.00	Assessment Year:	2016
Building value:	\$0.00		
Total market value:	\$47,900.00		
County Recommendation for County Study			
Good for study:	Yes		
County Recommendation for State Study			
Good for study:	Yes		
Notes:			
Final Parcels			
(primary parcel listed first)			
Parcel ID:	06-045-8040	Seq:	
Jurisdiction:	Cloquet	SD:	Cloquet
CER:		CPI:	
Parcel ID:	06-045-8020	Seq:	
Jurisdiction:	Cloquet	SD:	Cloquet
CER:		CPI:	
Parcel ID:	05-045-8200	Seq:	
Jurisdiction:	Cloquet	SD:	Cloquet
CER:		CPI:	



Download PDF Report

View Summary for Completed eCRV ID) 484789

County:Carlton Auditor ID:39865

Submit Date: 04/14/2016 1:24 PM Accept Date: 04/15/2016 3:23 PM

Buyers Information

Organization name: Radoush Holdings LLC
 Address: 1732 Dodge Street, Duluth, MN 55811 US
 Foreign address: No
 Phone number: 2182089672 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Sellers Information

Person name: Randall N Anderson
 Address: 913 Glendora Road S., Polkiana, FL 34759 US
 Foreign address: No
 Phone number: 2182131825 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Person name: Kathryn L Anderson
 Address: 913 Glendora Road S., Polkiana, FL 34759 US
 Foreign address: No
 Phone number: 2182131825 Email:
 *** MN Revenue does not display SSN/Tax ID fields due to privacy. ***

Property Information

County: Carlton
 Legal description: Lot 1, Block 4, SOUTH SIDE ADDITION TO THE CITY OF CLOQUET, Carlton County, Minnesota.
 Deeded acres: 0.32
 Will use as primary residence: No
 What is included in the sale: Land only
 New construction: No

Property Location(s)

Property location: XXXX Grant Avenue, Cloquet, 55720

Preliminary Parcel IDs

Parcels to be split or combined: No
 Primary parcel ID: 06-350-0560
 Additional parcel ID(s):

Use(s)

Planned use: Residential / Single family home
 Primary use: Yes
 Prior use: Residential / Unimproved/vacant land /Residential

Sales Agreement Information

Deed Type: Warranty Deed
 Date of Deed or Contract: 04/13/2016
 Purchase amount: \$26,000.00
 Downpayment amount: \$0.00
 Seller-paid amount: \$0.00
 Delinquent Special Assessments and Delinquent Taxes Paid by Buyer:
 Financing type: Cash

Personal Property

Personal property Included: No

Sales Agreement Questions

Buyer leased before sale:	No	Lease option to buy:	
Seller leased after sale:	No	Minimum rental income guaranteed:	No
Partial Interest Indicator:	No	Contract payoff or deed resale:	No
Received in trade:	No	Like exchange (IRS section 1031):	No
Purchase over two years old:	No		

Supplementary Information			
Buyer paid appraisal:	No	Appraisal value:	\$0.00
Seller paid appraisal:	No	Appraisal value:	\$0.00
Buyer and seller related:	No	Organization tax exempt:	No
Government sale:	No	Foreclosed, condemned or legal proceedings:	No
Gift or inheritance:	No	Name change:	No
Buyer owns adjacent property:	No		
Public promotion:	Yes		
Significant different price paid:	No		
Comment on price difference:			

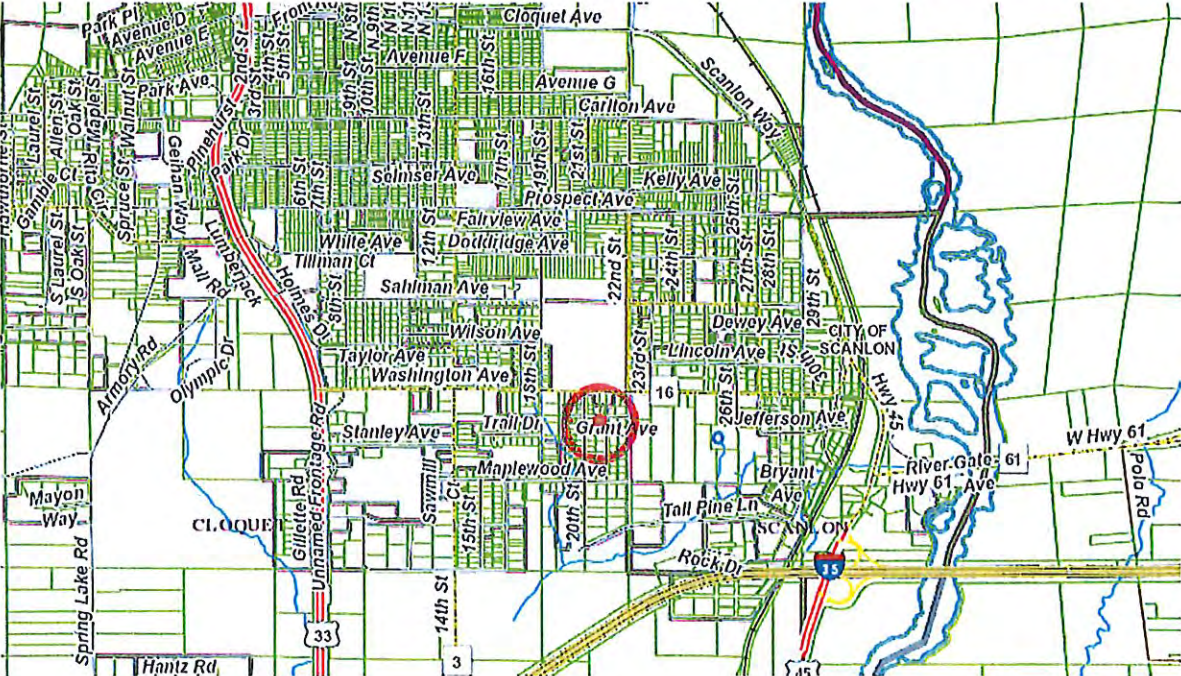
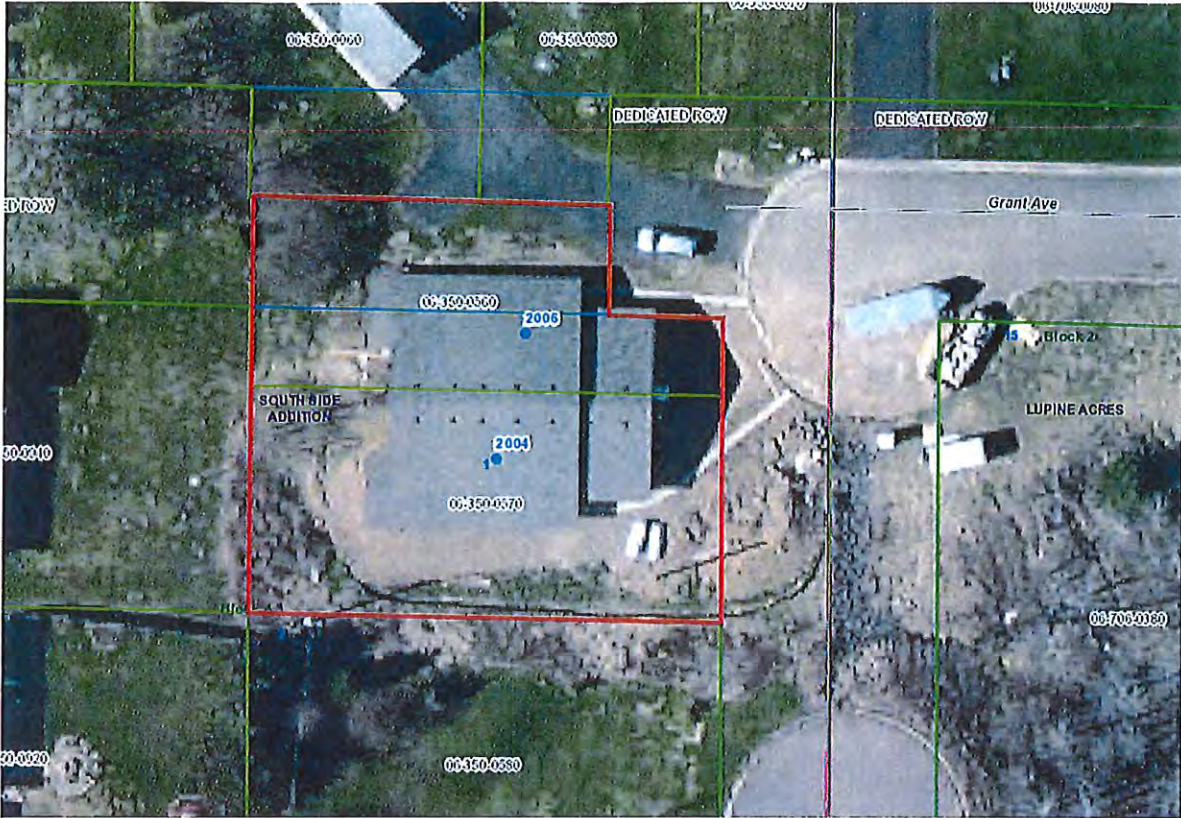
Submitter Information	
Submit date:	04/14/2016 1:24:24 PM
Submitter:	Trissany Kolquist
Organization:	Stewart Title
Email:	
Phone number:	2188787981
Comments:	

Terms Accepted by the Submitter
 I declare under penalty of law that I have examined the information entered and submitted on this form, and, based on what I know and believe to be true, the information entered on this form is complete and correct.

County Data Information	
County ID:	09
Deed type code:	Warranty Deed
Deed document ID:	
Sales agreement net amount:	\$26,000.00
Sales Price Adjustment(s)	
Property Attributes	
Year structure built:	Parcel new construction percent:
Gross Building Area:	Deeded acres: 0.32
Parcel water influence:	None
Neighborhood code:	
Exempt wetland:	No
Exempt native prairie:	No
Property Type(s)	
Property Group:	Residential
Property Type:	Residential - Nonhomestead - Unimproved Residential Land
Primary type:	Yes
Exempt:	No
Contributing parcels:	1
County Assessment	
Land value:	\$26,200.00
Building value:	\$0.00
Assessment Year:	2015
Total market value:	\$26,200.00
County Recommendation for County Study	
Good for study:	Yes
County Recommendation for State Study	
Good for study:	Yes
Notes:	
Final Parcels	
(primary parcel listed first)	
Parcel ID:	06-350-0560
Jurisdiction:	Cloquet
CER:	
Seq:	
SD:	Cloquet
CPI:	

Build - C05

[Site privacy and security \(http://www.revenue.state.mn.us/use_of_information/Pages/Privacy_and_Security.aspx\)](http://www.revenue.state.mn.us/use_of_information/Pages/Privacy_and_Security.aspx)





Community Development Department
101 14TH ST • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

November 21, 2019

Alice Siam
611 Adams Street
Cloquet, MN 55720

RE: ORDER TO REMOVE VACANT HAZARDOUS BUILDING City Code § 10.3.07 Subd. 1, City Code §§ 7.1.01 to 7.1.07, and Minn. Stat. §§ 463.15 to 463.161: Order to Remove 611 Adams Street (PIN 06-065-0220)

The building or structure located at 611 Adams Street in the City of Cloquet, County of Carlton, and State of Minnesota, legally described as follows, to wit:

Lot 7, COUNTY AUDITORS SUBDIVISION NUMBER 4 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, Except the East 115 feet of the North 61 feet; Except the South 61 feet of the East 115 feet; and, Except commencing at the Northwest corner thence South 183 feet, thence East 115 feet , thence North 183 feet, thence West 115 feet to the point of beginning.

is ordered to be demolished due to structural failure per City Code § 10.3.07 Subd. 1, City Code §§ 7.1.01 to 7.1.07, and Minn. Stat. §§ 463.15 to 463.161. An inspection was conducted on this building August 27, 2019 by the Cloquet Building official. That inspection concluded the following:

Case Facts:

1. The home has lacked water and sewer utility service since **October 5, 2016** which is required by Cloquet City Code Section 10.3.05 Subd. 2 Subp. B.
2. An inspection of the home was done on August 27th 2019. The home was found to be in disrepair from years of neglect. The roof above the front porch has collapsed. The north west overhang has collapsed. The south side dormer is collapsing, as the supporting wall is pushed out and being supported by a tree. The east side of this wall is open to trespass.

Case facts lead me to conclude that this structure is structurally compromised and constitutes a hazard to public health and safety. The structure is therefore declared to be a Public Nuisance and Hazardous Building.

As Building Official of the City of Cloquet, in accordance with City Code § 10.3.07 Subd. 1, City Code §§ 7.1.01 to 7.1.07, and Minn. Stat. §§ 463.15 to 463.161, I do hereby **order you to remove this structure** within 120 days from the date of receiving this letter (November 21, 2019) or provide to the city a date by which this home will be removed from the property.



Community Development Department
101 14TH ST • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

Within 20 days from the date of service, any interested person upon whom the order is served may appeal this decision in writing, specifically denying such facts in the order as are in dispute.

Dated this 21st day of November 2019.

If you have any questions you may contact me at (218) 879.2507 x2 or mmunter@cloquetmn.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Munter".

Matt Munter, Building Official

COPY: City Attorney

Attachments: City Inspection of 611 Adams Street



COMMUNITY DEVELOPMENT DEPARTMENT
101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555
www.cloquetmn.gov

INVESTIGATION REPORT

BUILDING & HOUSING CODE
 ZONING CODE

Date of Investigation:

Inspector: Matt Munter, Building Official

Date of Report: 8/27/19

Site Address: 611 Adams Street

Owner: Alice Siam

Complaint: Property is in disrepair, roof and wall collapse.

Investigation Findings: The roof above the front porch has collapsed. The north west overhang has collapsed. The roof above the north dormer is deteriorated. The south side dormer is collapsing as the supporting wall is pushed out and being supported by a tree. The east side of this wall is open to trespass.

This is an Unsafe Building per Minnesota State Building Code section 1300.0180



COMMUNITY DEVELOPMENT DEPARTMENT
101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555
www.cloquetmn.gov



Collapsed roof on the front porch

Broken eaves on the north side, deteriorated roof on the dormer



COMMUNITY DEVELOPMENT DEPARTMENT
101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555
www.cloquetmn.gov



South dormer beginning to collapse due to failed supporting structure



Wall below south dormer



[Parcel Information](#)

[CRV Information](#)

[Lake Finder](#)

[FAQ](#)

[Request Info](#)

Payable 2020 Property Tax Statement

Record Details

Account Number: 001587
Parcel Number: 06-065-0220

**Taxpayer
of
Record**
SIAM, ALICE
611 ADAMS ST
CLOQUET MN 55720

2020 Tax:	\$558.00
2020 Special Assessments:	\$200.00
2020 TOTAL Tax and Assessments:	\$758.00

2020 Payment Detail

Delinquent Taxes Exist
Call for Payoff Amount

First Half	Not Paid	Pay Online*
Second Half	Not Paid	Pay Online*

Delinquent Taxes Exist

DLQ Year	Amount Due*	*Delinquent amounts are calculated through month end. If you have questions, call (218) 384-9125.
2019	\$342.27	
Total	\$342.27	Pay Online*

***Please allow time for payment status to be updated. If opting to pay online, please note that convenience fees will be added on to your payment. Delinquent tax payments are posted to the most current year first.**

Tax District (# / Name):	6 / City of Cloquet
Plat Description:	CITY OF CLOQUET CO AUD SUBD NO 4
Lot / Block:	7 /
Legal Description:	EX E 115 FT OF N 61 FT EX S 61 FT OF E 115
Deeded Acres:	0
Section-Township-Range:	0-0-0
School District:	94
Lake (# / Name):	

Payable 2020 Assessment Data

	Estimated Value	Taxable Value
Land	\$22,000	\$22,000
Building	\$0	\$0
TOTAL	\$22,000	\$22,000

Class Code(s)



[Parcel Information](#) [CRV Information](#) [Lake Finder](#) [FAQ](#) [Request Info](#)

Payable 2020 Property Tax Statement

Record Details

Account Number: 001587
Parcel Number: 06-065-0220

Taxpayer of Record
 SIAM, ALICE
 611 ADAMS ST
 CLOQUET MN 55720

2020 Tax:	\$558.00
2020 Special Assessments:	\$200.00
2020 TOTAL Tax and Assessments:	\$758.00

2020 Payment Detail

Delinquent Taxes Exist Call for Payoff Amount		
First Half	Not Paid	Pay Online*
Second Half	Not Paid	Pay Online*

Delinquent Taxes Exist

DLQ Year	Amount Due*	*Delinquent amounts are calculated through month end. If you have questions, call (218) 384-9125.
2019	\$336.84	
Total	\$336.84	
		Pay Online*

***Please allow time for payment status to be updated. If opting to pay online, please note that convenience fees will be added on to your payment. Delinquent tax payments are posted to the most current year first.**

Tax District (# / Name):	6 / City of Cloquet
Plat Description:	CITY OF CLOQUET CO AUD SUBD NO 4
Lot / Block:	7 /
Legal Description:	EX E 115 FT OF N 61 FT EX S 61 FT OF E 115
Deeded Acres:	0
Section-Township-Range:	0-0-0
School District:	94
Lake (# / Name):	

Payable 2020 Assessment Data

	Estimated Value	Taxable Value
Land	\$22,000	\$22,000
Building	\$0	\$0
TOTAL	\$22,000	\$22,000

Class Code(s)

Minnesota Counties Information Systems (MCIS) makes no warranties, implied or explicit, as to the accuracy or completeness of this data. The data presented on this site is provided directly by the County, and MCIS merely converts it to a searchable web format. This data is intended to

addition of new lots to an existing manufactured home community) shall be approved through the planned unit development (PUD) process, pursuant to *Section 17.2.09: Creation of a PUD.*

17.6.09 MRC - Mixed Residential / Commercial District.

Subd. 1 Intent. The MRC Mixed Residential / Commercial District is intended to integrate permitted uses within the RC Zoning District provided they have frontage along HWY 33 with a mixture of residential uses. It is intended to allow for additional residential housing with the expectation that higher density residential would be closer to the commercial uses and transition to lower density residential the further the distance from commercial development. This can be achieved by allowing a sensitive mixture and integration of new residential uses in the district, including single and two-family dwellings, single-family attached dwellings, and multi-family dwellings. Proposed residential development shall comply with the base zoning district it resembles the most. For example, single-family residential development shall apply to the R1 Zoning District, whereas a higher density residential development shall comply with the R3 Zoning District. This district should encourage development in the district to occur through the planned unit development (PUD) process at a neighborhood or block scale that allows for pedestrian connection to the surrounding businesses in the area. If the City of Cloquet has adopted a plan for an area in the MRC District, the application of this Chapter is intended to be consistent with the vision, goals, objectives and policies of that plan.

Subd. 2 Permitted Uses. The following uses shall be permitted herein, without special application requirements or conditions attached:

- A. Automobile and truck dealers, new or used, including lots and shops provided it has frontage along HWY 33.
- B. Building materials retail outlets, provided it has frontage along HWY 33.
- C. Commercial recreation and entertainment centers, except game rooms as defined in *Section 17.1.06.* provided it has frontage along HWY 33.
- D. Dwelling: single-family detached.
- E. Dwelling: two-family or duplex.
- F. Dwelling: single-family attached, three to six units per building.
- G. Dwelling: multi-family, three (3) or more dwelling units.
- H. Educational institutions, banks provided it has frontage along HWY 33.
- I. General merchandise retail centers provided it has frontage along HWY 33.
- J. Marine and boat sales provided it has frontage along HWY 33.
- K. Motels provided it has frontage along HWY 33.
- L. Nurseries, landscape and garden stores provided it has frontage along HWY 33.
- M. Office parks or complexes provided it has frontage along HWY 33.
- N. Open space: public or private.
- O. Public Parks.

- P. Restaurants, including Drive-in or Drive-up facilities provided it has frontage along HWY 33.
- Q. Retail sales outlets, discount stores, off sale liquor establishments provided it has frontage along HWY 33.
- R. Shopping centers, malls or plazas provided it has frontage along HWY 33.
- S. Dry cleaning and laundry drop off and pick up, but excluding processing.
- T. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent for permitted uses in this district.

Subd. 3 Conditional Uses. The following conditional uses are allowed in the MRC Mixed Residential / Commercial District subject to the issuance of a Conditional Use Permit as specified in *Section 17.2.06*:

- A. Car wash.
- B. Clinic.
- C. Club or association.
- D. Day care center: commercial.
- E. Filling station with or without a convenience store.
- F. Funeral home.
- G. Laundromat.
- H. Nursing home.
- I. Parking lot as a principal use.
- J. Personal service.
- K. Recreation facility: commercial indoor or outdoor.
- L. Religious institution.
- M. School: primary or secondary, or specialty or personal instruction.
- N. Theater.
- O. Temporary construction building.
- P. Temporary real estate sales office.
- Q. Vehicle repair and service.
- R. Veterinary clinic: small animals.
- S. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent for conditional uses in this district.

Subd. 4 Accessory Uses. The following are allowed as an accessory use to a permitted or conditional use in the MRC Mixed Residential / Commercial District, pursuant to all applicable specific use standards:

- A. Accessory buildings, pursuant to *Section 17.5.01*.
- B. Animals: keeping of domestic animals.
- C. Fence, pursuant to *Section 17.5.05*.
- D. Home Occupations, pursuant to *Section 17.5.08*.
- E. Off-street parking, loading, and access drives, pursuant to *Section 17.5.11*.
- F. Patio, deck, terrace, and similar use, pursuant to *Section 17.5.02, Subd. 3*.
- G. Signs, pursuant to *Section 17.5.13*.
- H. Sport court or play equipment for private recreation use, pursuant to *Section 17.5.02, Subd. 4*.
- I. Swimming pool, pursuant to *Section 17.5.10*.
- J. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent for permitted uses in this district.

Subd. 5 Dimensional Regulations.

- A. Basic dimensional requirements. Basic dimensional requirements including parcel area and width requirements, principal building setback requirements, allowable height requirements, maximum building coverage requirements, maximum impervious coverage, and other pertinent dimensional requirements shall be identical to the dimensional requirements of the zoning district in this Chapter that best resembles the use of the said parcel, as determined by the City Planner/Zoning Administrator or Planning Commission of the City. For example, the dimensional requirements for a single-family detached dwelling shall meet the dimensional requirements for a single-family detached dwelling in the R-1 Single Family Residential District; the dimensional requirements for a high density residential use shall meet the dimensional requirements for a high density residential use in the R-3 High Density Residential District; and the dimensional requirements for a commercial uses shall meet the dimensional requirements for a commercial use in the NC Neighborhood Convenience District.
- B. Buffer requirements between different uses. Wherever a more intense use (or expansion of a more intense existing use) in the MRC Mixed Residential / Commercial District abuts a less intense existing use (as determined by the City Planner/Zoning Administrator or Planning Commission of the City), the more intense use shall provide a landscaped buffer pursuant to *Section 17.5.04: Landscaping Requirements and Section 17.5.03: Screening*.

Subd. 6 Special District Provisions.

- A. General Guidelines for Commercial Uses.

- (1) The City Council of the City of Cloquet recognizes that a variety of commercial uses exist in the MRC District. Guidelines for continuation and / or expansion of commercial uses in the district area as follows:
 - a. Allow existing commercial uses to continue (and potentially expand) in a manner that is compatible with adjacent residential uses.
 - b. In general, commercial uses should not replace existing residential uses, but in unique situations, the City Council may find that it is in the best interest of the overall community to allow this to occur, especially along arterial roads where the dominant existing land use relates to commercial use.
 - c. Commercial uses should generally serve the local and neighborhood population. Large-scale commercial uses should be directed to the RC District.
 - d. Where feasible, commercial uses should be integrated with each other to allow for shared parking and enhanced vehicular and pedestrian access.
 - e. In general, commercial uses should be limited to arterial and collector streets.
 - f. The Highway 33 Design Standards will apply if the site is located within the corridor.

B. General Criteria and Potential Conditions of Approval.

- (1) Decision criteria. Required approvals associated with commercial uses in the MRC District shall meet the intent of this district and shall be consistent with all of the Conditional Use Requirements specified in *Section 17.2.06*. Approval or denial of a conditional use permit shall place special emphasis on how the use addresses neighborhood compatibility and protection issues.
- (2) Possible conditions of approval. The City Council may attach appropriate conditions to any approvals associated with a conditional use in the district. Conditions may include, but are not limited to the following:
 - a. Limited hours of operation;
 - b. Limited number, types, and hours of deliveries;
 - c. Limited or no outdoor storage;
 - d. Limited or no drive through window;
 - e. Special building and site design standards that ensure compatibility with the neighborhood; and / or
 - f. Increased screening and / or buffers.

ASSUMPTIONS AND LIMITING CONDITIONS:

1. This Appraisal Report is intended to comply with the reporting requirements set forth under Standard Rule 2-2 of the Uniform Standards of Professional Appraisal Practice (2020-2021). As such, it contains discussions of the data, reasoning, and analyses used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined, and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy, or other legislative or administrative authority from any local, state, or national governmental, or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.
12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.

13. The appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.
14. The exhibits found herein are included to assist the reader in visualizing the property. The appraisers assume no responsibility in connection with the accuracy of such items.
15. Any proposed improvements are assumed to be completed in a good, workmanlike manner in accordance with the submitted plans and specifications.
16. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.
18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.
19. The Americans with Disabilities Act, "ADA," became effective January 26, 1992. The appraiser has not made a specific compliance survey/analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact may have a negative effect upon the value of the property. Since there is no direct evidence relating to this issue, non-compliance with the requirements of ADA has not been considered in estimating the value of the property.

QUALIFICATIONS OF THE APPRAISER

John M. Vigen, SRA, RM

Present Position: Ramsland & Vigen, Inc.
Real Estate Appraisers & Consultants
Lonsdale Building
302 West Superior Street, Suite 600
Duluth, Minnesota 55802

Past Real Estate Experience: Forty-six years real estate experience consisting of residential, natural resource land, and commercial appraisals, residential sales and property management.

Professional Associations: Appraisal Institute
North Star Chapter
(Past President – 2000)
(Lake Superior Chapter No. 183)

Duluth Board of Realtors

License: Minnesota Real Estate Appraiser - #4000928
Certified General Classification

Wisconsin Real Estate Appraiser - #750-10
Certified General Classification

Member: RM Designation #1363 (1979)
(Former – American Institute of Real Estate Appraisers)

SRA Designation, Certification #909007 (1980)
(Former – Society of Real Estate Appraiser's)

Certified Instructor, State of Minnesota
Department of Securities, Real Estate Division

Real Estate
Appraisal Education: Compliant with qualifying and continuing education requirement for:

Appraisal Institute
State of Minnesota
State of Wisconsin

Uniform Standards of Professional Appraisal Practice – (2019)

Land Trust Alliance Symposiums (1996-2008)

Vigen (continued)

Real Estate Appraisal
Education (continued):

National Conservation Training Center – (1999)
Land Conservation Strategies

Federal Land Exchanges & Acquisitions – (2008)
Valuation of Conservation Easements – (2008)
IRS-Valuation of Donated Real Estate – (2014)

Appraisal Seminars/Courses of Diverse Content (1975-2019)

Representative Client List:

3M – Real Estate Department
Conservation Fund
Employee Relocation Council
Federal Deposit Insurance Corporation
Iron Range Resources & Rehabilitation Board
LTV Mining Company, Lands and Minerals Division
Metropolitan Federal Bank
Minnesota Cities of:
 Bemidji
 Cromwell
 Cloquet
 Duluth
 Grand Marais
 Hermantown
 Moose Lake
 Proctor
 Two Harbors
Minnesota Counties: St. Louis, Lake, Cook, Cass,
 Koochiching, and Aitkin
Minnesota Department of Natural Resources
Minnesota Land Trust
Minnesota Parks and Trails
Minnesota Power and Light Company
Nature Conservancy
North Shore Bank of Commerce
Potlatch Corporation
Republic Bank of Duluth
Soo Line Railroad
City of Superior, Wisconsin
 Community Development Program
State of Minnesota
Trust for Public Land
United States Forest Service
University of Minnesota
 Office of Real Estate Coordinator
U.S. Bank System
USX
 Northern Land & Minerals Division
Wells Fargo
Western National Bank



DEPARTMENT OF PUBLIC WORKS

101 14th Street; Cloquet, MN 55720
Phone: (218) 879-6758 Fax: (218) 879-6555
Street - Water - Sewer – Engineering - Park
www.cloquetmn.gov

REQUEST FOR COUNCIL ACTION

To: City Council
From: Caleb Peterson, Public Works Director
Reviewed By: Tim Peterson, City Administrator *TP*
Date: July 21, 2020

ITEM DESCRIPTION: Inflow and Infiltration Ordinance

Proposed Action

Staff recommends the City Council move to:

- Adopt **ORDINANCE NO. 490A, AMENDING SECTIONS 11.3 AND 11.4 OF THE CITY CODE TO ADDRESS THE NEED FOR THE REDUCTION OF INFLOW AND INFILTRATION INTO THE MUNICIPAL SEWER SYSTEM TO MEET COMPLIANCE STANDARDS OF THE WLSSD;**
- Approve **RESOLUTION NO. 20-45, A RESOLUTION AUTHORIZING THE PUBLICATION OF A SUMMARY OF ORDINANCE NO. 490A, AN ORDINANCE AMENDING SECTIONS 11.3 AND 11.4 OF CITY CODE TO ADDRESS THE NEED FOR THE REDUCTION OF INFLOW AND INFILTRATION INTO THE MUNICIPAL SEWER SYSTEM TO MEET COMPLIANCE STANDARDS OF THE WLSSD;** and
- Approve the amendment of the 2020 Fee Schedule associated with I&I code revisions.

Background/Overview

In past work sessions Staff discussed with Council the need to update our ordinances related to sanitary sewer inflow and infiltration. Inflow and Infiltration (I&I) is clean unpolluted water that enters the sanitary sewer system. Typically, I&I increases with wet weather when high groundwater levels works its way into sewer pipes and manholes. The City has been addressing this problem on the public portion of the sewer system however very limited action has been taken on the private side. In 2019 WLSSD adopted an ordinance that requires cities which discharge to their system to develop a program that addresses I&I in private sewer services. The WLSSD ordinance include two separate areas of private side I&I reduction.

First, each District customer must develop and implement a program which addresses proper plumbing of footing drains and sump pumps. This program is mandated to occur at point of sale and would be similar to a septic inspection program in rural areas. After listing a property for sale, the owner would contact the Building Official and request a compliance inspection. Upon inspection, the City would issue either a Certificate of Non-Contribution (valid for 10 years) or an order to make repairs within 120 days. Customers failing to comply with a repair order would face a monthly surcharge added to their utility bill.

The second area of private side I&I compliance deals with private sewer services (the underground pipe which runs from the foundation wall of each customer out to the City owned sewer main). In this case

each City was given the option of developing a program based on point of sale or targeted annual inspections. As was discussed in previous work sessions, staff has recommended the City use the annual inspection model. Cloquet sees 100-200 property transactions annually. Given then age of our community it is likely that most of these sales would result in a noncompliant service lateral. While the reduction of I&I is an important goal over time, recent history shows that Cloquet's system performs well

during wet weather conditions despite its age. A targeted annual inspection program allows the City to prioritize the worst offenders at a manageable pace. It also allows for the creation of a grant program thru the utility which will offer some financial assistance to homeowners who may face large repair bills. Neither of these benefits would be possible if compliance were mandated at point of sale.

Under the City's proposed program inspections would be prioritized by geographic area with 20 services repaired each year. The addition of the proposed grant program (previously funded by Council) will allow to the City to take credit for homeowners who volunteer for the program due to private issues. The Grants will provide financial assistance (80% up to \$4,000) for homeowners who may not otherwise be able to afford necessary repairs and lower the number of enforcement actions required to meet the new mandates. Those properties found to have noncompliant sewer laterals would have 1 year to make required repairs. Failure to comply may result in a monthly utility bill surcharge.

Staff has worked with the City Attorney and WLSSD to develop a program/ordinance which meets all WLSSD requirements while attempting to minimize impacts to residents. The proposed code revisions are described below:

Policy Objectives

To protect public health and lower sanitary sewer operating expenses by complying with WLSSD I&I standards.

Financial/Budget/Grant Considerations

The 2020 budget included \$80,000 from the Sanitary Sewer Utility to fund the proposed grant program. A final draft of grant program will come to Council for authorization at a future meeting. The proposed fee schedule amendments necessary to compliment the code are anticipated to generate \$10-15,000 in revenue which will be used to fund staff time associated with inspection and administration of the program.

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- Ordinance No. 490A
- Resolution No. 20-45
- Proposed Fee Schedule
- WLSSD Ordinance

ORDINANCE NO. 490A

AN ORDINANCE AMENDING SECTIONS 11.3 AND 11.4 OF THE CITY CODE
TO ADDRESS THE NEED FOR THE REDUCTION OF
INFLOW AND INFILTRATION INTO THE MUNICIPAL SEWER SYSTEM
TO MEET COMPLIANCE STANDARDS OF THE WLSSD

THE CITY COUNCIL OF THE CITY OF CLOQUET FINDS AS FOLLOWS:

Purpose. In accordance with the inherent powers of the City Council, all changes to the City Code can and must be made by Ordinance.

WHEREAS, the City Council has been advised by the Western Lake Superior Sanitary District (hereinafter referred to as WLSSD), that to protect the health, welfare and safety of the public and the environment there is a need to minimize infiltration and overflows into the wastewater conveyance and treatment system; and,

WHEREAS, the recommendation has been duly made to the City Council by its City Engineer that the City adopt new standards and modify its City Code to better meet the goals of limiting infiltration into the sanitary sewer system such that clean water does not enter the treatment system unnecessarily causing an increase in the amount of wastewater originating in the City that has to be treated by the WLSSD; and,

WHEREAS, the City Council has concluded that the changes being proposed are in the best interests of the City:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, HEREBY ORDAINS THE FOLLOWING EFFECTIVE SEPTEMBER 1, 2020:

SECTION 1: The following code provisions in **Section 11.3. Water System** of the City Code will be changed or replaced as follows:

1. The last paragraph of **Section 11.3.03 Plumbing Regulations** of the City Code regarding the Water System will be replaced with the following paragraph:

All non-metallic water and sewer pipes shall be installed with a locating (tracer) wire and shall meet requirements set forth in City of Cloquet Engineering Standards and as directed by the City Engineer, to facilitate the locating of these underground utilities.

SECTION 2: The following code provisions in **Section 11.4. Sanitary Sewer System** of the City Code will be changed or replaced as follows:

1. **Section 11.4.07. Use of Public Sewers Subd. 1 Unpolluted Water** will be replaced with the following Subd. 1:

Subd. 1. Unpolluted Water Prohibited.

- (a) No leak, break, or failure to function of a building sewer, or connection of area way drains, perimeter foundation drains, rain leaders, down spouts or rain connector, or any condition of the building sewer that allows other sources of unpolluted waters, such as storm water, ground water, roof run-off, sub-surface drainage, unpolluted industrial water or cooling water, to enter a building

sewer or building drain which is connected directly or indirectly to a public sanitary sewer shall be made or allowed to exist. From time to time, the City may offer programs, grants or incentives in an effort to improve the sanitary collection system. Regardless of these measures, it is the policy of the City to inspect, enforce and attain compliance with the provisions of the City Code for all buildings and sewers. Enforcement actions separate from any program or incentive are proper.

- (b) Upon completion of any construction, reconstruction or repair which includes excavation of any kind or replacement of any building sewer, said building sewer shall be capable of passing an air test in accordance with the plumbing code. Any such building sewer not capable of passing such air test shall either be further repaired or replaced in its entirety until it passes such air test.
- (c) No person owning or controlling, in whole or in part, any building shall allow any condition or connection prohibited in subsection (a) above to be made or to exist, or shall fail to cause discovery of the defect or of being ordered to make such disconnection or repair by the director. Any homeowners with a redirected sump pump that deliberately discharges into the sanitary sewer system will be fined up to \$500 upon conviction of each offense.
- (d) No person shall tamper with, modify or make any change to any plumbing materials or equipment necessary to prevent non-compliance with the requirements of Section (a) above; nor, shall any owner or person owning or controlling any building allow any person to so tamper with, modify or make any changes to such materials or equipment in such building or fail to maintain in fully functional condition such materials and equipment.

2. **Section 11.4.07. Use of Public Sewers Subd. 2 Septage** will be replaced with the following:

Subd. 2 Septage. Septage will only be discharged or deposited into the Sanitary Sewer at locations specifically designated by WLSSD.

3. The entire **Section 11.4.09 Powers and Authority of Inspectors** shall be replaced with the following Section 11.4.09:

11.4.09. Designation of Sewer Basin for Inspection; inflow and infiltration reduction (I & I) program notice of disconnect requirement

Subd. 1. Sewer Basin Designation for I & I program; Notice; Extensions.

Upon the recommendation of the Public Works Director, the Council shall designate by written resolution the basin or basins in the City wherein the City can best utilize its available resources to reduce the amount of unpolluted water entering or infiltrating the City's wastewater collection system, which shall constitute the authorization of the I&I program in the sewer basin for the inspection of all buildings located herein for compliance with the requirements of Section 11.4.07(a). The Council resolution shall require the televised inspection of a specified minimum number of building services located within the designated basin or basins annually. Such resolution shall direct the director to notify, in writing, the owners and persons in control of premises connected with the sanitary sewer

within such basin to disconnect any prohibited drain or device and to remedy any circumstance of the building sewer that allows unpolluted water into the wastewater collection system, all within one (1) year after the date of such notice. The property owner may apply to the Public Works Director for an extension to the correction period. Application for extension to the Director shall include documentation of attempts to resolve the conditions that make the connection non-compliant as well as provide a schedule to implement corrections to the non-compliant installation. Such notice shall be directed by the director to the owner or person in control of the affected property at the post office address of the person applying for or paying for sewer service for such premises. When so deposited in the post office of the United States, or an adjunct thereof, such deposit shall constitute due service of the notice upon the owner or controlling person therein named.

Subd. 2. Entry for Inspections; Building Sewer Improvement, I&I Program and Private Sewer.

- (a) Upon designation of any sewer basin pursuant to Subd. 1 above, the Public Works Director shall cause all buildings within said sewer basin to be inspected for compliance with Section 11-4-07 above. Upon determination that any building does not comply with Section 11-4-07 above and does not qualify for a certificate of non-contribution, the Director shall issue an order to disconnect any portion of the plumbing of such building in violation of said Section 11-4-07, or do any act required to attain compliance;
- (b) No person shall fail or refuse to allow the Public Works Director to inspect any building to determine whether the plumbing of such building complies with the requirements of Section 11-4-07 above after having been given reasonable advance notice of the Public Works Director's intent to do so; such notice may be given by mail as provided for in subd. 1 above or in person or by posting notice thereof on the premises to be inspected. In the event that the owner or person in control of any building deny or refuse to allow the director to inspect any such building after notice has been given, the Public Works Director may allow the inspection to be made by a qualified person who is not a city employee, in a manner acceptable to the director, having results reported and supported by evidence acceptable to the Director, all at the owner's expense. If the owner or person in control refuses to allow any sufficient inspection, the director shall use such other means as are authorized by law, including but not limited to securing a search warrant for such building or a court order requiring that access be granted in order to gain access to conduct such inspection.
- (c) (1) The Public Works Director, using uniform criteria, shall determine which properties and/or building sewers in the district shall be included in the I&I program. For each building sewer included in the I&I program, sewer inspections required by the Director for purposes of the program will be performed by city employees or agents without charge. (2) Pursuant to the authority of Minnesota Statutes Section 471.342 and any successor thereto, the City hereby establishes the Cloquet private sewer service grant/loan program hereinafter referred to as the "private sewer service program," as part of the City's inflow and infiltration program. Said program shall be available for use on properties located within basins designated pursuant to paragraph (a) above which have been specifically designated or those properties that voluntarily

choose to participate and prove to the Public Works Director's satisfaction that their existing sanitary service is experiencing inflow or infiltration shall be designated as eligible therefor in writing by the director. The City Council is hereby authorized to approve, by resolution, program guidelines establishing criteria for program eligibility and standards for compliance with the program. Pursuant to said guidelines the City may provide grants or loans or both to private property owners for the repair, reconstruction or lining of private sanitary sewer laterals which are eligible therefore pursuant to the private sewer service program guidelines;

- (d) A property remains subject to all applicable standards, requirements, and penalties of this Chapter regardless of whether or not it is selected for the I&I program.

Subd. 3. Certificate of Non-Contribution

- (a) Upon inspection of any building by the Public Works Director for compliance with the requirements of Section 11-4-07 above, and based on that inspection, the Director is authorized to issue a certificate of non-contribution if he or she determines either that:
 - (1) The sump pump and footing drain disconnect, are in compliance with Section 11-4-07 above; or
 - (2) The plumbing materials and equipment as installed and operating in that building are in compliance with the requirements of Section 11-4-07 above; or
 - (3) The plumbing and equipment in said building is not in compliance with the requirements of Section 11-4-07 above but the Public Works Director determines that the building is not contributing any material or observable amounts of unpolluted water to the public wastewater collection system and is not likely to do so in the future.
- (b) Certificates of non-contribution shall only be issued by the Public Works Director and persons designated by him or her to issue such certificates. The Public Works Director shall establish standards and procedures for certifying persons authorized to issue certificates of non-contribution on his or her behalf.
- (c) In the event that the Director determines after reasonable investigation that any building for which a certificate of non-contribution has been issued is now contributing a material or observable amount of unpolluted water to the public wastewater collection system, the Public Works Director may give notice in the matter provided for in Subd. 2 above of his or her intention to revoke such certificate of non-contribution and that such revocation shall become final 15 days from the date of giving such notice unless the affected owner or person in control of the affected building files a written appeal of that decision with the City Clerk prior to the revocation of the certificate. Any such appeal shall be heard by the Cloquet City Council in accordance with the procedures established by the Council. When the revocation of any certificate of non-

contribution has become final, the Public Works Director shall cause notice to be provided to the property owner stating the revocation has been finalized.

Subd. 4. Repairs Required at Time of Sale.

- (a) This Subd. 4 applies to transfers of ownership of or possessory rights in property which is required to be served by the city's public sanitary sewer.
- (b) Unless there is then in effect a valid Point of Sale (POS) certificate pertaining to such property, upon the signing and acceptance of a legally binding offer to purchase or at least 15 days before a transfer of title to, or the entering into of a contract for deed for, real estate, which sale, transfer or contract gives a party other than the seller or transferor a right of possession, whichever occurs first, the seller or transferor shall notify the director of the date of the proposed sale or transfer closing and arrange for a building sewer inspection to determine whether the property requires a sump pump and footing drain disconnect in order to be in compliance with this Chapter. The seller or transferor shall pay an inspection fee as set in the City's Fee Schedule, to the City in advance of the inspection to defray the City's costs of such inspection in an amount established from time to time by resolution of the City Council. No person shall sell, transfer or enter in a contract for deed for or contract for sale of real estate, which sale, transfer or contract gives a party other than the seller or transferor a right of possession in any property, nor shall any person purchase, accept transfer of or enter into any contract for deed or contract for sale of real property as transferee which sale, transfer or contract results in such person acquiring a right of possession in any property unless the Public Works Director has been notified and the property so inspected, except as provided in subsection (e) below.

A POS certificate valid only for the proposed sale shall be issued where such property inspection finds there is a footing drain contribution only and determines there is no sump pump or the sump pump is not in use or is malfunctioning, and the buyer agrees to make required repairs within 120 days following the sale, but such POS certificate shall not evidence total compliance with all of the requirements of Section 11-4-07 above.

If the required repairs are not satisfactorily completed within said 120-day period, the owner or customer shall be charged a monthly surcharge each month until the repairs are satisfactorily completed, which surcharge shall be set in the City's fee schedule.

- (c) If, upon the inspection provided for in subparagraph (b) above, the Public Works Director determines that the property qualifies, the Public Works Director shall issue or cause to be issued a POS certificate which shall be valid for the proposed sale or transfer related to that inspection and for any other such sale or transfer occurring within ten (10) years of said proposed sale or transfer unless the Public Works Director determines in the exercise of his or her discretion that there is sufficient reason to believe that said POS certificate does not accurately represent the existing condition of the property in question. Provided, however, if the Public Works Director has issued a POS certificate because the building served by sanitary sewer on the subject property does not

have a basement or cellar, said certificate shall continue to be valid unless and until revoked by the Director or at the Director's determination in the exercise of his or her discretion that there is sufficient reason to believe that the POS certificate does not accurately represent the existing condition of the property in question.

- (d) In the event that the Director receives notice of a proposed sale or transfer and request for city inspection which complies with the requirements of subsection (b) above, but the department fails to complete the inspection required by this Section prior to the date of the proposed closing contained in the notice or date of the actual closing, whichever is later, the Director shall provide a temporary waiver of the inspection requirement contained in subsection (b) above which shall be effective until the department shall offer to perform the required inspection on the property during ordinary business hours. The department shall attempt to make reasonable accommodation to the schedule of the acquiring party. Such waiver shall be subject to the acquiring party agreeing in writing to allow representatives of the department to enter upon the property for the purposes of making the inspection and shall be effective only until the date the department proposes to make such inspection. Upon the inspection being made under this subsection, the property inspected and the acquiring party shall be subject to the requirements of this Article as if the inspection had been made prior to closing.
- (e) The requirements for a POS certificate do not apply in the following cases:
 - 1. Conveyance by court order for wills, probates, divorce, estate settlements;
 - 2. Transfers that do not require the filing of a Certificate of Real Estate Value;
 - 3. Transfers of vacant land or land with buildings without plumbing fixtures;
 - 4. The conveyance is a deed in fulfillment of a contract for deed.
- (f) In the event that neither the seller or transferor nor the acquiring party shall have paid for the inspection provided in paragraph (b) above within 30 days of the date of closing on the sale or transfer of the subject property, and such inspection was made and POS certificate issued, the City shall have the right to assess the amount owed against the property.

Subd. 5. Indemnification. While performing the necessary work on private properties referred to in Section 11.4.09, Subd. 1, above, the City Engineer or duly authorized employees of the City and the WLSSD shall observe all safety rules applicable to the premises established by the owner, and the owner shall be held harmless for injury or death to such employees, and the City and the WLSSD respectively shall indemnify the owner against loss or damage to its property by City and WLSSD employees and against liability claims and demands for personal injury or property damage asserted against the owner and growing out of the gauging and sampling operation, except as such may be caused by the

negligence of the owner or the failure of the owner to maintain safe conditions as required under this ordinance.

Subd. 6. Easements. The City Engineer and other duly authorized employees of the City and WLSSD bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the easement pertaining to the private property involved.

SECTION 3: This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the City Council this ____ day of _____, 2020.

CITY OF CLOQUET

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator

RESOLUTION NO. 20-45

A RESOLUTION AUTHORIZING THE PUBLICATION OF A SUMMARY OF ORDINANCE NO. 490A, AN ORDINANCE AMENDING SECTIONS 11.3 AND 11.4 OF CITY CODE TO ADDRESS THE NEED FOR THE REDUCTION OF INFLOW AND INFILTRATION INTO THE MUNICIPAL SEWER SYSTEM TO MEET COMPLIANCE STANDARDS OF THE WLSSD

On July 21, 2020, at its regular City Council meeting, the City of Cloquet adopted Ordinance 490A. The purpose of the Ordinance was to bring the City Code into compliance with inflow and infiltration standards and guidelines provided by the Western Lake Superior Sanitary District regarding the operation of the city sanitary sewer system.

The specific title of the Ordinance adopted is “An Ordinance Amending Sections 11.3 and 11.4 of the City Code to Address the Need for the Reduction of Inflow and Infiltration into the Municipal Sewer System to Meet Compliance Standards of the WLSSD.”

The purpose of the new Ordinance is to modify the existing City Code provisions to minimize and address sources of clean water inflow and infiltration into the city sanitary sewer system in an attempt to reduce such volumes and the need for sewage treatment by the WLSSD.

The full Ordinance is available to the public at the City Clerk’s Office during regular office hours.

Passed by the Council of the City of Cloquet on this 21st day of July 2020.

CITY OF CLOQUET

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator

Published in the Pine Knot News this ____ day of _____, 2020.



DEPARTMENT OF PUBLIC WORKS

1307 Cloquet Avenue; Cloquet, MN 55720
 Phone: (218) 879-6758 Fax: (218) 879-6555
 Street - Water - Sewer – Engineering - Park
www.ci.cloquet.mn.us

2020 Fee Schedule Revisions

Staff recommends the Council approve the following additions to the 2020 fee schedule associated with I&I revisions to Chapter 11 of City Code:

Noncompliant I&I Monthly Surcharge	\$250
I&I Point of Sale Inspection Fee	\$100

Staff further recommends the following I&I related items be deleted from the approved 2020 fee schedule:

Unpolluted Water Connection Fees Monthly Fees (effective 1/1/2020)		
Sump pump installation discharging	Less than 50,000 gallons yrly	\$ 25.00
	50,000 to 100,000 gallons yrly	\$ 50.00
	More than 100,000 gallons yrly	\$ 75.00
Roof Drain Connections involving	Less than 4,000 sq ft roof area	\$ 40.00
	4,000 to 8,000 sq ft roof area	\$ 80.00
	8,000 to 10,000 sq ft roof area	\$ 100.00
	More than 10,000 sq ft roof area	Set by City Engineer

**WESTERN LAKE SUPERIOR SANITARY DISTRICT
ORDINANCE ESTABLISHING STANDARDS
FOR REDUCTION OF INFLOW AND INFILTRATION**

Amended June 26, 2017

Article I: Authority and Purpose.

Section 1.1 The Western Lake Superior Sanitary District (“WLSSD”) was established by the Laws of the State of Minnesota as codified in Minn. Stat. Chapter 458D. WLSSD owns and operates a network of interceptor sewers and a regional treatment facility (collectively referred to as the Treatment Works) for the collection and treatment of municipal and industrial wastewater from sources within WLSSD boundaries. To ensure the best use of the Treatment Works, WLSSD regulates and enforces its responsibilities through a series of ordinances, agreements and enforcement mechanisms. The capacity allocation system regulates the distribution of finite Treatment Works capacity among customers. This Ordinance establishes standards for the reduction of Inflow and Infiltration (“I & I”) from municipal wastewater customers through the requirement of the preparation and implementation of I&I ordinances, annual reduction plans and progress reports, elimination of I & I through Sump Pump and Sewer Service Lateral compliance programs for structures and the enforcement of penalties for failure to comply. This Ordinance will protect the health, welfare and safety of the public and the environment by requiring the reduction of I & I, minimizing the risk of overflows in the wastewater conveyance and treatment system (“WCTS”).

Article II: Definitions.

- Section 2.1 “*Actual Peak Flow*” means the highest one-hour wastewater flow rate measured in million gallons per day (MGD) actually discharged by a Municipal Customer within any individual clock hour (60-minute average) of any calendar day (24-hour period) based on measurement determined and recorded by WLSSD.
- Section 2.2 “*Average Dry Weather Flow*” means the flow in a sanitary sewer during periods of dry weather in which the sanitary sewer is under minimum influence of inflow and infiltration. The average daily flow in the month of January is typically used.
- Section 2.3 “*Permitted Peak Flow*” means the highest one-hour wastewater flow rate measured in million gallons per day (MGD) allowable per User within any individual clock hour (60-minute average) of any calendar day (24-hour period) as identified in the Customer’s Capacity Allocation Permit. This value is determined by averaging on a five-year basis the Average Dry Weather Flow for each municipal customer and applying the wet weather Municipal Peak Flow Standards as included in the WLSSD Comprehensive Wastewater Services Plan. For industrial customers the Permitted Peak Flow rate is based upon the remaining hydraulic capacity of the WLSSD system.

- Section 2.4 “*Capacity Allocation Permit*” means the permit issued by WLSSD and signed by a Customer which sets wastewater discharge limits for the Customer.
- Section 2.5 “*Capacity Availability Fee*” means the WLSSD fee for new connections to, and estimated expanded uses of, the WCTS.
- Section 2.6 “*Certificate of Sump Pump or Foundation Drain Disconnection I&I Compliance*” means a certificate issued by the Municipal Customer to verify that a building being sold, transferred or otherwise conveyed, or subject to any of the requirements, including a Capacity Availability Fee payment, as provided in Section 7.3 A, is not contributing Inflow and Infiltration to the WCTS.
- Section 2.7 “*Executive Director*” means the person occupying the position of Executive Director of WLSSD or the designee of the Executive Director.
- Section 2.8 “*Foundation Drain*” means an exterior drainage system installed at the footings of a building foundation that collects and diverts water to daylight or to a catch basin where it is pumped to daylight or a storm drain.
- Section 2.9 “*Inflow and Infiltration*” or “*I&I*” means *infiltration*, which is water that seeps or flows into a damaged or leaking portion of the WCTS from the surrounding soil; and *inflow*, which is unwanted water, such as rainwater or melting snow, which enters the WCTS through a direct connection. I&I describes the overall problem of rainwater and groundwater contributing to wastewater flows in the WCTS.
- Section 2.10 “*MGD*” means million gallons per day.
- Section 2.11 “*Municipal Customer*” or “*Customer*” means the cities of Duluth, Proctor, Hermantown, Cloquet, Carlton, Scanlon, Rice Lake and Wrenshall, the townships of Thomson, Midway and Twin Lakes, the Pike Lake Area Wastewater Collection System, the Duluth/North Shore Sanitary District, the Village of Oliver, Wisconsin, the Knife River-Larsmont Sanitary District, and any other governmental entity which discharges wastewater directly to the WLSSD wastewater conveyance system and is not a wastewater customer of another governmental entity.
- Section 2.12 “*New Use*” means the development or redevelopment of a property for a different residential, business or industrial use evidenced by the requirement of a building or plumbing permit issued by a Municipal Customer.

- Section 2.13 *“Sewer Connection”* means the addition of a new use to a municipal sewer system resulting in the increased discharge of wastewater into this system without extending or altering the existing public sanitary sewer infrastructure.
- Section 2.14 *“Sewer Extension”* means extending, expanding or altering sanitary sewer mains, trunks, interceptors or other sewer projects that may prepare for future expansions or services, even if no new flow is initially added. This may include increasing the size of an existing pipe or installing additional pumps or larger pumps to increase pumping capacity.
- Section 2.15 *Sewer Service Lateral* or *Service Lateral* means the privately owned pipeline connecting a structure to the publicly owned sewer main or interceptor.
- Section 2.16 *“Sump Pump”* is a pump used to remove water that has accumulated in a water collecting sump basin, commonly found in the basement of a structure.
- Section 2.17 *“Wastewater Collection and Transmission System”* (“WCTS”) means the system for wastewater collection and transmission, including all pipes, force mains, gravity sewer lines, lift stations, pumping stations, and appurtenances owned and operated by WLSSD and the municipally owned portion of the system which collects wastewater from residences and businesses and conveys it to the portion of the system operated by WLSSD.

Article III: Peak Flow Compliance.

Section 3.1 Municipal Reduction. A Municipal Customer must take appropriate action to ensure that its Actual Peak Flow is reduced to a level no higher than the Permitted Peak Flow specified in the Municipal Customer’s Capacity Allocation Permit.

Article IV: Reporting Requirements

Section 4.1 Any Municipal Customer with a wastewater treatment Capacity Allocation Permit must file the following reports with the Executive Director.

A. Permitted Peak Flow Exceedance Report. If a Municipal Customer has an Actual Peak Flow which exceeds the Municipal Customer’s Permitted Peak Flow as described in Article III, WLSSD will notify the Municipal Customer of the exceedance in writing quarterly each year. Within 30 days of being notified of a Permitted Peak Flow exceedance by WLSSD, the Municipal Customer must provide a written evaluation of what caused the exceedance(s), what actions will be taken to correct the exceedance(s) and when these actions will be completed. The written evaluation must provide written verification that the plans and timelines detailed in the Annual Report will eliminate further exceedances.

If the Municipal Customer has a release of wastewater to the environment from any part of the municipally owned portion of the WCTS, then the Municipal Customer must call the Minnesota Duty Officer as required by Minnesota Statute Section 115.061 as soon as possible and complete an Incident Report as described below:

Incident Report. The incident report must be submitted to WLSSD by the 10th calendar day of the month immediately subsequent to the month that the release occurred. The report must include:

1. The Duty Officer report number;
2. If the Municipal Customer has been notified by the MPCA that a release sampling report must be filed along with the Duty Officer report, then a copy of the release sampling report must be included with the Incident Report;
3. The date and time the release began and ended;
4. The location of the release; and
5. The estimated volume of the release.

B. Annual I&I Reduction Plan and Progress Report ("Annual Report"). By February 15th of each year each Municipal Customer must submit an Annual Report. This report must include an engineer's certification and be verified by an authorized representative of the Customer. The Annual Report must contain the following information:

1. Detailed documentation of I & I identification and reduction activities carried out during the reporting year and amount of funds expended. This report should identify the roof drain and footing drain disconnections, manhole covers plugged and sealed, cross connections eliminated, service laterals lined, manholes rehabilitated or replaced, a description of sanitary sewer lines rehabilitated or replaced and other reduction activities. This report should also include the linear feet of sanitary sewer televised, smoke test results, flow monitoring information, footing drain inspection reports, and other I & I identification tasks completed. This report must also include a summary of the previous year's budget for I & I reduction activities, comparing planned expenses to actual expenses and explaining the variance.
2. Detailed plans of I & I identification and reduction activities that the municipality will complete during the upcoming calendar year. These plans should include activities, expenditures, timelines and milestones.
3. A copy of the most recent version of the Municipal Customer's sewer ordinance, and a summary of any proposed revisions for the next 12 months. The sewer ordinance must be in conformance with the WLSSD Model Ordinance Regulating the Use of Public and Private Sewers.

4. Copies of any information distributed to the public concerning I & I reduction.
5. A list of Permitted Peak Flow exceedances and wastewater overflows that occurred within the municipality during the previous calendar year with detailed plans and timelines to correct the exceedances and overflows.
6. A quantitative assessment of I & I reduction progress accomplished during the reporting year.
7. A summary of any new connections to the public sanitary sewer system including an updated public sanitary sewer system map.
8. A summary of key maintenance activities and standards utilized to improve or maintain the integrity of the collection system.
9. All information required in Sections 7.2 D and 7.3 D of this Ordinance.

Section 4.2 Adequacy of Submittals. WLSSD will review Submittals (Permitted Peak Flow Exceedance Report, Incident Report, and Annual Report (collectively referred to as "Submittals")) to determine if the Customer has met all requirements of Section 4.1 above. The review will be completed within 45 days after Submittal is received by WLSSD. If notified in writing by WLSSD that the Submittal does not satisfy Section 4.1 requirements, a corrected Submittal must be filed by the Customer within 45 days of the notice.

Article V: Penalties

Section 5.1 Noncompliance. If a Customer fails to file a Submittal within the deadlines established, fails to substantially comply with the I & I reduction activities and timelines set forth in its Submittals, fails to timely comply with any of the requirements in Article VII or is not making substantial progress in reducing its Actual Peak Flow to the limits described in Article III, then the Customer is noncompliant and subject to one or more of the following penalties as determined by the Executive Director:

- A. No extension and/or connections of Customer's sewer lines will be permitted until such time that the Customer is in compliance with the provisions of this Ordinance; or
- B. Extensions and/or connections of Customer's sewer lines may be limited and subject to the terms or conditions set forth by the Executive Director until Customer is in compliance with the provisions of this Ordinance.
- C. A civil penalty of up to \$500 per day, beginning on the first day of noncompliance and continuing until the Customer is in compliance with the provisions of this Ordinance.

Section 5.2 Notice of Noncompliance. WLSSD will send written notice to a Customer of a finding of Noncompliance, setting forth the basis for the determination, any

penalties imposed on the Customer, and the actions the Customer must take to comply with the Ordinance.

Section 5.3 Noncompliance Resulting in a Release. If the Executive Director finds a Customer is noncompliant with this Ordinance and the Customer Permitted Peak Flow exceedance as described in Article III results in a release of wastewater to the environment, then the Executive Director may assess a civil penalty of up to \$1000 for each such Permitted Peak Flow exceedance. These penalties are in addition to the penalties set forth in Section 5.1 above. If multiple Customers located upstream of a release location contributed Actual Peak Flow exceeding that Customer's Permitted Peak Flow as described in Article III and are noncompliant, then each Customer will be assessed the full penalty.

Section 5.4 Notice and Payment. WLSSD will send written notice to a Customer of a civil penalty under Section 5.3, setting forth the date of the violation, approximate time when the violation occurred, Actual Peak Flow at the time of violation, and the amount the Actual Peak Flow exceeded the Permitted Peak Flow. Prior to the end of the calendar year, WLSSD will notify each Customer which has received a notice of violation that year of the total amount of the penalty due for that year. The penalty shall be paid no later than ninety (90) days from the date of the notice of the total penalty due. Extensions to the payment period may be granted by the Board, subject to a showing of hardship by the applicant.

Article VI: Appeal

Section 6.1. Any Municipal Customer can challenge by written notice of appeal a decision of the Executive Director made under this Ordinance. The appeal will be decided by the Board. In the notice of appeal the Customer must provide the Board with a written explanation of the reasons supporting the appeal and setting forth the requested relief. The written notice of appeal must be submitted to the Executive Director within thirty (30) days of the date of the written notice of the finding of noncompliance or the written notice of the imposition of a penalty or the written notice of any other decision by the Executive Director under this Ordinance which is adverse to the Customer. The appeal hearing will follow the process set forth in Section 3.6 of the WLSSD Solid Waste Ordinance, unless the parties mutually agree to an alternate appeal hearing process which is defined in writing and signed by both parties.

Article VII: Sewer Service Lateral and Sump Pump or Foundation Drain Disconnection Compliance Programs

Section 7.1. Written Plan. Each Municipal Customer shall provide to the Executive Director by no later than February 15, 2019 a written Plan describing how the Municipal Customer will satisfy the requirements of this Article. This plan can be submitted separately or included as part of the Annual Report reference in Section IV Part B. The written Plan must address both Sump Pump or Foundation Drain Disconnection and Sewer Service Lateral inspection and correction. The Executive Director will review the Plan and either approve or reject the Plan based on its compliance with the requirements of Article VII. If rejected, the Executive Director will notify the Municipal Customer of the deficiencies in the Plan. An

amended Plan must be submitted by the Municipal Customer within 45 days of notice of the deficiency.

Section 7.2. Sewer Service Lateral Compliance Program. Each Municipal Customer must adopt and enforce an effective Sewer Service Lateral inspection and correction program for structures connected to the WCTS which is designed to prevent any building or structure from contributing Inflow and Infiltration to the public wastewater collection system, regardless of the manner in which the I & I is entering the Sewer Service Lateral.

- A. The inspection and correction program must be based on one or more of the following:
 - 1. *Property Transactions.* A program to inspect and correct Sewer Service Laterals upon a change in real property title or property ownership with one or more buildings or structures located thereon, or upon a significant change in use of one or more buildings or structures located thereon, or upon certain modifications to the plumbing system, so that no such building or structure is contributing Inflow and Infiltration to the WCTS.
 - 2. *Annual Inspection.* A program developed by the Municipal Customer to systematically inspect and correct all Sewer Service Laterals by identifying the number and location of inspections to be done each year to verify that no building or structure is contributing Inflow and Infiltration to the WCTS.
- B. The inspection and correction program must be structured so that the compromised Sewer Service Laterals contributing Inflow and Infiltration to the WCTS within the jurisdiction of the Municipal Customer are corrected within a reasonable period of time, as determined in the discretion of the Executive Director.
- C. The inspection and correction program must include the following components:
 - 1. An annual targeted number of Sewer Service Laterals to be inspected each year and the percentage of the annual target related to the number of Sewer Service Laterals within the jurisdiction of the Municipal Customer.
 - 2. An annual targeted number of Sewer Service Laterals to be corrected or repaired each year.
 - 3. The method used to inspect the Sewer Service Laterals (televising, pressure test, etc.) and the standard to be applied to determine if a Sewer Service Lateral is compliant, including the following:
 - (a) Free of roots, grease deposits, and other solids which may impede or obstruct flow,

- (b) All joints must be watertight and all pipes shall be intact and not deformed,
 - (c) Free of any structural defects such as cracks, breaks, openings or missing portions,
 - (d) All clean-outs shall be securely sealed with a proper cap or approved overflow device at all times, and
 - (e) There shall be no non-sanitary sewer connections to the Sewer Service Lateral or any plumbing that connects thereto.
 - (f) As an alternative, the inspection of the Service Lateral can be conducted by televising the Municipal Customer main sewers during wet weather events to identify I&I from Service Laterals.
4. The method used by the Municipal Customer to target Sewer Service Laterals for repair (point of sale, during planned municipal road or sewer work, etc.).
 5. A description of the enforcement system used by the Municipal Customer to deter noncompliance.
 6. A description of the system used by the Municipal Customer to address repairs needed on shared or common Sewer Service Laterals.
- D. The following information shall be included in the Annual Report submitted by the Municipal Customer pursuant to Article IV:
1. The location by address of the Sewer Service Lateral corrections completed during the reporting period.
 2. An estimate of the total number of Sewer Service Laterals within the jurisdiction of the Municipal Customer.
 3. The address of Sewer Service Laterals inspected by the Municipal Customer during the reporting period and found to be compromised.
 4. The address of Sewer Service Laterals inspected by the Municipal Customer during the reporting year which were found to be in compliance with Sewer Service Lateral program requirements.

Section 7.3. Sump Pump or Foundation Drain Disconnection Compliance Program.
 Each Municipal Customer must adopt and enforce an effective inspection and correction program which must include:

- A. A requirement that the owner of any dwelling structure, commercial building structure or other building or land upon which such buildings are located which are connected to the WCTS, shall obtain a Certificate of Sump Pump or Foundation Drain Disconnection I&I Compliance from the Municipal Customer (i) prior to selling, transferring, or conveying an interest or entering into an agreement to sell, transfer or otherwise convey an interest in such property, or (ii) upon a determination that the owner of a structure with a new or existing connection to the WCTS must pay a Capacity Availability Fee as a result of a New Use or anticipated wastewater flow increase calculated in accordance with the *WLSSD Capacity Availability Fee Procedures Manual* in effect at the time of the calculation.
- B. A requirement that no owner of real estate described in subsection (A) above shall sell, transfer or otherwise convey an interest or enter into an agreement to sell, transfer or otherwise convey an interest in such property without either (i) presenting the prospective purchaser or grantee with a copy of a Certificate of Sump Pump or Foundation Drain Disconnection I&I Compliance for the subject property or (ii) entering into an agreement as provided in subsection (C) below.
- C. A requirement that property inspected and found to need a Foundation Drain disconnection but determined to have either no sump pump, a sump pump that is not in use, a sump pump that is malfunctioning or discharging into the WCTS, or a Foundation Drain or other source that is discharging I & I into the WCTS be corrected within 120 days of the transfer of the property. The Municipal Customer must have in place a process to compel the Sump Pump or Foundation Drain correction which may be either pursuant to an agreement between the parties together with the escrow of 125% of the repair costs, or pursuant to an alternate process designed to compel the correction.
- D. The following information shall be included in the Annual Report submitted by the Municipal Customer pursuant to Article IV:
1. The location by address of the structures where Sump Pumps or Foundation Drain disconnections were installed during the reporting period.
 2. The total number of Sump Pump installations or Foundation Drain disconnections certified by the Municipal Customer to be in compliance.
 3. The address of structures inspected by the Municipal Customer during the reporting period and found to require Sump Pump installation.
 4. The address of structures inspected by the Municipal Customer during the reporting period and found to require Foundation Drain disconnections other than through use of a Sump Pump.

5. The address of structures inspected by the Municipal Customer during the reporting year which were found to be in compliance with Sump Pump or Foundation Drain disconnection program requirements.

Section 7.4. Record Retention. The inspection records and all documents relating to the requirements of Article VII shall be retained by the Municipal Customer and available to the Board for a minimum of 7 years and not less than the period required by Minnesota law for public records retention for these documents.

Section 7.5 Enforcement Date. The approved Inflow and Infiltration compliance Plan for each Municipal Customer must be in effect and enforceable no later than February 15, 2020. If the Municipal Customer fails to meet the deadline in this Section, the Municipal Customer is in Noncompliance and subject to the penalties in Article V.

Article VIII: Effective Date

This amended Ordinance is effective January 1, 2018.

Dated: June 26, 2017.

SANITARY BOARD OF THE WESTERN
LAKE SUPERIOR SANITARY DISTRICT

By: Ruth Janke
Ruth Janke, Chair

By: David Manderfeld
David Manderfeld, Secretary