



**CITY OF CLOQUET
City Council Agenda
Tuesday, August 4, 2020
7:00 p.m.
VIA TELECONFERENCE**

**6:00 WORK SESSION
VIA TELECONFERENCE**

- Law Enforcement Study Discussion

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
 - a. Approval of August 4, 2020 Council Agenda
4. **Approval of Council Minutes**
 - a. Regular Council minutes from the July 21, 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. 20-47, Authorizing the Payment of Bills and Payroll
 - b. Library Addition Change Order #5 – Teen Space Electrical Modification
 - c. Zoning Case 20-10, Rezoning, Preliminary Plat and Final Plat for Timothy Fosness



**CITY OF CLOQUET
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Tuesday, August 4, 2020
7:00 p.m.
VIA TELECONFERENCE**

7. Public Hearings

- a. Now is the time and place for the public hearing on the final assessment for the improvement of Pine Tree Plaza Frontage Road
 - Resolution No. 20-51, Adopting Assessments for the Improvement of Pine Tree Plaza Frontage Road and Area Utility Improvements

8. Presentations

None.

9. Council Business

- a. Appointment of Patrol Commander – O’Connor
- b. Appointment of Truck Driver/Utility Maintenance – Schaub
- c. Library Foundation – Gift Agreement for Naming Rights
- d. Ordinance No. 488A, An Ordinance to Amend Chapter 17 of the Municipal Code Pertaining to Mobile Storage Structures
- e. Inflow and Infiltration Grant Program Policy
- f. Council Budget Goals and Ideas

10. Council Comments, Announcements, and Updates

11. Adjournment

Via Teleconference
7:00 P.M. July 21, 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 Lamb moved and Councilor Wilkinson seconded the motion to approve the July 21, 2020 agenda. The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Carlson moved and Councilor Swanson seconded the motion to approve the Regular Meeting minutes of July 7, 2020 as presented. The motion carried unanimously (7-0).

PUBLIC COMMENTS

There were none.

CONSENT AGENDA

MOTION: Councilor Lamb moved and Councilor Carlson seconded the motion to adopt the Consent Agenda of July 21, 2020, approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- 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

PUBLIC HEARINGS

There were none.

PRESENTATIONS

Christian Lawien of MNDOT gave a brief overview of proposed reduced conflict intersection improvements design for State Highway 33 in the vicinity of Gillette Road using Transportation Economic Development (TED) Program grant funding.

MOTION: Councilor Kolodge moved and Councilor Lamb seconded the motion to approve the preliminary design for the reduced conflict intersection improvements to State Highway 33 in the vicinity of Gillette Road. The motion carried unanimously (7-0).

EMERGENCY ORDINANCE REQUIRING FACE COVERINGS

MOTION: Councilor Wilkinson moved and Councilor Lamb seconded the motion to approve **ORDINANCE NO. 489A, AN EMERGENCY ORDINANCE TO CREATE SECTION 4.10 OF THE MUNICIPAL CODE REQUIRING FACE COVERINGS WITHIN INDOOR SPACES OF PUBLIC ACCOMMODATION EFFECTIVE AUGUST 1, 2020; and RESOLUTION NO. 20-46, A RESOLUTION AUTHORIZING THE PUBLICATION OF A SUMMARY OF ORDINANCE NO. 489A.** The motions passed (5-2), Councilors Kolodge and Langley opposed.

Ordinance No. 489A

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

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.

Via Teleconference
7:00 P.M. July 21, 2020

Regular Meeting

Roll Call

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

Councilors Absent: None

Pledge of Allegiance

AGENDA

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- (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 childcare 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.

Resolution No. 20-46

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.

RESCHEDULE AUGUST 5TH CITY COUNCIL MEETING

MOTION: Councilor Kolodge moved and Councilor Swanson seconded the motion to reschedule the August 5, 2020 City Council meeting to the original date of August 4, 2020, due to National Night Out being cancelled because of the COVID-19 pandemic. Motion carried unanimously (7-0).

APPOINTMENT OF INVESTIGATIONS COMMANDER

MOTION: Councilor Swanson moved and Councilor Lamb seconded the motion to approve the appointment of Interim Investigations Commander Adam Reed effective July 21, 2020 to the permanent position of Commander, Investigations and Administration. The motion passed unanimously (7-0).

ORDERING REMOVAL OF PUBLIC NUISANCE AND HAZARDOUS BUILDING

MOTION: Councilor Lamb moved and Councilor Carlson seconded the motion 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. The motion carried unanimously (7-0).

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.

CONDEMNATION OF 611 ADAMS STREET

MOTION: Councilor Lamb moved and Councilor Wilkinson seconded the motion to approve **RESOLUTION NO. 20-43, APPROVING CONDEMNATION OF 611 ADAMS STREET AND APPROVING CLOQUET ECONOMIC DEVELOPMENT AUTHORITY OVERSIGHT OF PROPERTY REDEVELOPMENT FOLLOWING THE PROPERTY TAKING UTILIZING EDA FUNDS.** The motion carried unanimously (7-0).

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.

AMENDING SECTIONS 11.3 AND 11.4 OF THE CITY CODE TO ADDRESS THE NEED FOR THE REDUCTION OF I&I INTO THE MUNICIPAL SEWER SYSTEM

MOTION: Councilor Swanson moved and Councilor Carlson seconded the motion to adopt **ORDINANCE NO. 490A, AMENDING SECTIONS 11.3 AND 11.4 OF THE CITY CODE TO ADDRESS THE NEED FOR THE REDUCTIN OF INFLOW AND INFILTRATION INTO THE MUNICIPAL SEWER SYSTEM TO MEET COMPLIANCE STANDARDS OF THE WLSSD; RESOLUTION NO. 20-45, AUTHORIZING THE PUBLICATIN OF A SUMMARY OF ORDINANCE NO. 490A;** and the amendment of the 2020 Fee Schedule associate with I&l code revision. The motion carried unanimously (7-0).

ORDINANCE NO. 490A

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.

RESOLUTION NO. 20-45

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.

COVID-19 UPDATE

City Administrator Peterson stated staff continues to follow CDC COVID-19 guidelines and will also begin to wear masks in common areas of City Hall on August 1st unless the Governor puts a statewide mandate in place with a different start date.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

City Administrator Peterson encouraged absentee voting for the August 11th Primary and November 3rd General Elections. There is also a need for election judges.

On a motion duly carried by a unanimous yea 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 *MK*
From: Mary Kay Hohensee-Mayer, Assistant Finance Director
Reviewed/Approved by: Tim Peterson, City Administrator
Date: August 4, 2020

ITEM DESCRIPTION: Payment of Bills and Payroll

Proposed Action

Staff recommends the Council move to adopt **RESOLUTION NO. 20-47, A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS AND PAYROLL.**

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

- Resolution Authorizing the Payment of Bills and Payroll
- Vendor Summary Report
- Department Summary Report

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

RESOLUTION NO. 20-47

A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS AND PAYROLL

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

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

101	General Fund	\$	635,765.30
202	Federal CDBG Loan (EDA)		371.25
206	Revolving SCDP (EDA)		12,375.00
231	Public Works Reserve		4,587.97
403	Revolving Capital Projects		25,255.10
405	City Sales Tax Projects		2,397.50
600	Water - Lake Superior Waterline		60,974.06
601	Water - In Town		80,473.26
602	Sewer Fund		120,493.98
605	Stormwater Fund		4,089.56
701	Employee Severance Benefits		88.50
	TOTAL:	\$	946,871.48

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 4TH DAY OF AUGUST, 2020.**

ATTEST:

Roger Maki, Mayor

Tim Peterson, City Administrator

INVOICES DUE ON/BEFORE 08/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
112650	AJ'S LAWCARE, INC	4,925.00	6,730.00
123050	B & B MARKET	126.00	180.00
123400	BAKER & TAYLOR	9,065.70	1,304.46
126850	BLAINE BROTHERS, INC	318.05	96.82
128075	BRAUN INTERTEC CORP	14,862.50	1,807.50
137310	CENTURY LINK	5,429.20	238.36
137340	CHAMBERLAIN OIL CO., INC.	6,543.75	500.45
139025	CINTAS	2,371.76	231.86
139800	CLOQUET AREA CHAMBER OF COMMER	40,125.53	3,779.10
140200	CITY OF CLOQUET - PETTY CASH	85.93	2.99
142100	CLOQUET MAIL STATION	595.94	24.30
142800	CLOQUET SANITARY SERVICE	9,480.60	100.74
145000	COMMUNITY MEMORIAL HOSPITAL	2,176.72	635.00
150100	D A L C O	17,067.55	157.04
150400	D E M C O	6,324.09	764.39
152775	DELTA DENTAL OF MINNESOTA	22,506.40	3,117.45
153800	DIGGERS HOTLINE, INC.	62.00	34.20
155000	DLT SOLUTIONS LLC	0.00	2,346.30
158000	DULUTH/SUPERIOR COMMUNICATIONS	15,103.85	15,610.00
159600	EARL F ANDERSEN	0.00	1,411.95
161675	EMC NATIONAL LIFE	11,836.80	1,206.25
166625	FIRST AID CORP	1,093.84	297.56
167750	SAWTOOTH HOLDINGS	0.00	1,490.00
171100	FRYBERGER, BUCHANAN, SMITH &	62,501.02	11,816.25
171800	GALE/CENGAGE LEARNING	696.58	91.17
172300	GARTNER REFRIGERATION COMPANY	20,774.28	858.29
174300	GLORY SHINE JANITORIAL CLEAN	3,909.00	1,050.00
175950	GRAPHIC TECHNOLOGIES	1,407.00	840.00
177900	GRUSSENDORF NURSERY INC	1,850.00	974.00
179340	HAGENS GLASS & PAINT	4,625.36	37.00
180500	HAWKINS INC	40,461.49	6,598.12
184485	HUNT ELECTRIC	37,335.54	3,589.37
187500	INGRAM LIBRARY SERVICES	1,203.87	16.14
190580	JAKES COMPANIES LLC	0.00	11,839.30
195175	KEMBLE INCORPORATED	0.00	8,718.75
195850	KIMINSKI PAVING	15,960.00	6,956.95
202300	LEAGUE OF MN CITIES	4,430.40	200.00
211300	MENARDS INC	301.15	69.92
211400	MENARDS INC	2,596.40	186.21
211700	METRO SALES, INC.	5,511.28	125.22
213875	MIDWEST TAPE	79.98	71.99
219067	MN DEPT OF ADMINISTRATION	10,984.68	1,443.60
236100	NORTHLAND CONSTRUCTORS	465,808.20	2,471.51
242850	PARSONS ELECTRIC LLC	8,501.13	8,030.78

INVOICES DUE ON/BEFORE 08/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
243500	PENWORTHY COMPANY	0.00	291.91
251500	CMH RAITER FAMILY CLINIC	873.28	35.00
260300	CITY OF SCANLON	4,549.69	28.36
261750	SEELYE PLASTICS, INC.	183.11	106.80
261800	SEH	97,113.41	1,565.00
262875	SHAMROCK LANDFILL INC	2,106.33	535.55
270200	SUPERIOR COMPUTER PRODUCTS INC	99,442.59	13,280.37
271320	T MOBILE	976.91	1,037.80
271975	TEAMSTERS JOINT COUNCIL 32	218,277.90	36,662.16
272600	TERMINAL SUPPLY INC	1,331.51	22.90
278600	TWIN PORT MAILING	29,584.50	6,264.72
279100	U S BANK EQUIPMENT FINANCE	4,827.92	418.71
280390	ULINE	0.00	1,448.83
283700	USA BLUEBOOK	3,775.18	151.31
284875	VERIZON WIRELESS	12,507.38	863.85
286900	W L S S D	592,834.30	82,715.00
287800	WAL-MART COMMUNITY	977.17	10.94
287900	WAL-MART COMMUNITY	1,382.04	19.58
289015	WELLS FARGO CREDIT CARD	51,613.95	1,982.63
R0001227	LAKES GAS COMPANY	228.00	76.00
R0001784	A.G. O'BRIEN	1,041.09	1,013.77
R0001821	ESS BROTHERS AND SONS INC	4,302.00	3,620.00
R0001934	ZOOM VIDEO COMMUNICATIONS INC	0.00	16.16
R0001935	BOOKPAGE	0.00	354.00
R0001936	KAJEET	0.00	1,280.88
R0001937	IMAGEONE	0.00	818.63
R0001938	BRIANNA TUCKER	0.00	622.65
R0001939	DENISE HALVERSON	0.00	55.00
R0001940	JERSEY CITY	0.00	610.00
TOTAL ALL VENDORS:			263,959.80

City of Cloquet
Vendor Summary Report Reconciliation
Invoices Due On/Before 8/4/2020

Bills	263,959.80
Plus: Coomercial Roofing/EDA Rehab Project	12,375.00
Less: CAFD	0.00
Less: Library	<u>(9,056.00)</u>
Bills approved	267,278.80
Other:	
Payroll	711,925.46
Payroll - benefits	<u>(32,332.78)</u>
Total Bills and Payroll Approved	<u><u>946,871.48</u></u>

INVOICES DUE ON/BEFORE 08/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
00			
152775	DELTA DENTAL OF MINNESOTA	22,506.40	3,028.95
161675	EMC NATIONAL LIFE	11,836.80	1,206.25
271975	TEAMSTERS JOINT COUNCIL 32	218,277.90	28,097.58
			32,332.78
32	LICENSES & PERMITS		
260300	CITY OF SCANLON	4,549.69	28.36
	LICENSES & PERMITS		28.36
41	GENERAL GOVERNMENT		
139025	CINTAS	2,371.76	13.98
150100	D A L C O	17,067.55	157.04
171100	FRYBERGER, BUCHANAN, SMITH &	62,501.02	11,445.00
172300	GARTNER REFRIGERATION COMPANY	20,774.28	858.29
211300	MENARDS INC	301.15	69.92
270200	SUPERIOR COMPUTER PRODUCTS INC	99,442.59	4,124.00
278600	TWIN PORT MAILING	29,584.50	127.58
279100	U S BANK EQUIPMENT FINANCE	4,827.92	157.02
284875	VERIZON WIRELESS	12,507.38	245.07
R0001784	A.G. O'BRIEN	1,041.09	1,013.77
R0001940	JERSEY CITY		610.00
	GENERAL GOVERNMENT		18,821.67
42	PUBLIC SAFETY		
139025	CINTAS	2,371.76	197.12
145000	COMMUNITY MEMORIAL HOSPITAL	2,176.72	635.00
271320	T MOBILE	976.91	1,037.80
271975	TEAMSTERS JOINT COUNCIL 32	218,277.90	8,564.58
278600	TWIN PORT MAILING	29,584.50	36.45
279100	U S BANK EQUIPMENT FINANCE	4,827.92	209.36
280390	ULINE		1,315.13
287900	WAL-MART COMMUNITY	1,382.04	19.58
	PUBLIC SAFETY		12,015.02

INVOICES DUE ON/BEFORE 08/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
43	PUBLIC WORKS		
126850	BLAINE BROTHERS, INC	318.05	96.82
137340	CHAMBERLAIN OIL CO., INC.	6,543.75	500.45
155000	DLT SOLUTIONS LLC		586.58
159600	EARL F ANDERSEN		1,411.95
166625	FIRST AID CORP	1,093.84	297.56
190580	JAKES COMPANIES LLC		11,839.30
195175	KEMBLE INCORPORATED		8,718.75
195850	KIMINSKI PAVING	15,960.00	6,956.95
236100	NORTHLAND CONSTRUCTORS	465,808.20	2,471.51
242850	PARSONS ELECTRIC LLC	8,501.13	8,030.78
272600	TERMINAL SUPPLY INC	1,331.51	22.90
278600	TWIN PORT MAILING	29,584.50	36.45
284875	VERIZON WIRELESS	12,507.38	198.68
287800	WAL-MART COMMUNITY	977.17	10.94
R0001227	LAKES GAS COMPANY	228.00	76.00
R0001939	DENISE HALVERSON		16.00
	PUBLIC WORKS		41,271.62
45	CULTURE AND RECREATION		
112650	AJ'S LAWCARE, INC	4,925.00	1,230.00
123050	B & B MARKET	126.00	180.00
137310	CENTURY LINK	5,429.20	175.77
167750	SAWTOOTH HOLDINGS		1,490.00
175950	GRAPHIC TECHNOLOGIES	1,407.00	840.00
177900	GRUSSENDORF NURSERY INC	1,850.00	974.00
251500	CMH RAITER FAMILY CLINIC	873.28	35.00
262875	SHAMROCK LANDFILL INC	2,106.33	535.55
	CULTURE AND RECREATION		5,460.32
46	COMMUNITY DEVELOPMENT		
139800	CLOQUET AREA CHAMBER OF COMMER	40,125.53	3,779.10
270200	SUPERIOR COMPUTER PRODUCTS INC	99,442.59	200.00
278600	TWIN PORT MAILING	29,584.50	18.23
279100	U S BANK EQUIPMENT FINANCE	4,827.92	52.33
	COMMUNITY DEVELOPMENT		4,049.66

INVOICES DUE ON/BEFORE 08/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

FEDERAL CDBG LOAN (EDA)			
46	COMMUNITY DEVELOPMENT		
171100	FRYBERGER, BUCHANAN, SMITH &	62,501.02	371.25
	COMMUNITY DEVELOPMENT		371.25
LIBRARY FUND			
45	CULTURE AND RECREATION		
123400	BAKER & TAYLOR	9,065.70	1,304.46
139025	CINTAS	2,371.76	20.76
140200	CITY OF CLOQUET - PETTY CASH	85.93	2.99
142800	CLOQUET SANITARY SERVICE	9,480.60	100.74
150400	D E M C O	6,324.09	764.39
171800	GALE/CENGAGE LEARNING	696.58	91.17
174300	GLORY SHINE JANITORIAL CLEAN	3,909.00	1,050.00
184485	HUNT ELECTRIC	37,335.54	89.97
187500	INGRAM LIBRARY SERVICES	1,203.87	16.14
211400	MENARDS INC	2,596.40	79.92
211700	METRO SALES, INC.	5,511.28	125.22
213875	MIDWEST TAPE	79.98	71.99
243500	PENWORTHY COMPANY		291.91
270200	SUPERIOR COMPUTER PRODUCTS INC	99,442.59	389.00
284875	VERIZON WIRELESS	12,507.38	205.04
289015	WELLS FARGO CREDIT CARD	51,613.95	1,982.63
R0001934	ZOOM VIDEO COMMUNICATIONS INC		16.16
R0001935	BOOKPAGE		354.00
R0001936	KAJEET		1,280.88
R0001937	IMAGEONE		818.63
	CULTURE AND RECREATION		9,056.00
PUBLIC WORKS RESERVE			
41	GENERAL GOVERNMENT		
270200	SUPERIOR COMPUTER PRODUCTS INC	99,442.59	3,144.37
	GENERAL GOVERNMENT		3,144.37
42	PUBLIC SAFETY		
219067	MN DEPT OF ADMINISTRATION	10,984.68	1,443.60
	PUBLIC SAFETY		1,443.60

INVOICES DUE ON/BEFORE 08/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
CAPITAL PROJECTS - REVOLVING			
81	SPECIAL PROJECTS		
112650	AJ'S LAWCARE, INC	4,925.00	5,500.00
158000	DULUTH/SUPERIOR COMMUNICATIONS	15,103.85	15,610.00
179340	HAGENS GLASS & PAINT	4,625.36	37.00
184485	HUNT ELECTRIC	37,335.54	3,499.40
270200	SUPERIOR COMPUTER PRODUCTS INC	99,442.59	475.00
280390	ULINE		133.70
	SPECIAL PROJECTS		25,255.10
CITY SALES TAX CAPITAL			
81	SPECIAL PROJECTS		
128075	BRAUN INTERTEC CORP	14,862.50	1,807.50
261800	SEH	97,113.41	590.00
	SPECIAL PROJECTS		2,397.50
WATER - LAKE SUPERIOR WATERLIN			
51	STATION 2		
137310	CENTURY LINK	5,429.20	62.59
270200	SUPERIOR COMPUTER PRODUCTS INC	99,442.59	1,445.00
	STATION 2		1,507.59
52	LAKE SUPERIOR WATERLINE		
153800	DIGGERS HOTLINE, INC.	62.00	34.20
202300	LEAGUE OF MN CITIES	4,430.40	200.00
284875	VERIZON WIRELESS	12,507.38	70.02
	LAKE SUPERIOR WATERLINE		304.22
WATER - IN TOWN SYSTEM			
00			
R0001938	BRIANNA TUCKER		622.65
			622.65

INVOICES DUE ON/BEFORE 08/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER - IN TOWN SYSTEM			
49	CLOQUET		
180500	HAWKINS INC	40,461.49	6,598.12
211400	MENARDS INC	2,596.40	106.29
261750	SEELYE PLASTICS, INC.	183.11	106.80
261800	SEH	97,113.41	975.00
283700	USA BLUEBOOK	3,775.18	151.31
284875	VERIZON WIRELESS	12,507.38	70.02
R0001939	DENISE HALVERSON		39.00
	CLOQUET		8,046.54
54	BILLING & COLLECTION		
278600	TWIN PORT MAILING	29,584.50	5,973.10
	BILLING & COLLECTION		5,973.10
57	ADMINISTRATION & GENERAL		
155000	DLT SOLUTIONS LLC		586.58
278600	TWIN PORT MAILING	29,584.50	36.45
	ADMINISTRATION & GENERAL		623.03
ENTERPRISE FUND - SEWER			
00			
286900	W L S S D	592,834.30	-28.00
			-28.00
55	SANITARY SEWER		
284875	VERIZON WIRELESS	12,507.38	75.02
286900	W L S S D	592,834.30	82,743.00
R0001821	ESS BROTHERS AND SONS INC	4,302.00	3,620.00
	SANITARY SEWER		86,438.02
57	ADMINISTRATION & GENERAL		

INVOICES DUE ON/BEFORE 08/04/2020

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

ENTERPRISE FUND - SEWER			
57	ADMINISTRATION & GENERAL		
142100	CLOQUET MAIL STATION	595.94	24.30
155000	DLT SOLUTIONS LLC		586.58
278600	TWIN PORT MAILING	29,584.50	36.46
	ADMINISTRATION & GENERAL		647.34
STORM WATER UTILITY			
57	ADMINISTRATION & GENERAL		
155000	DLT SOLUTIONS LLC		586.56
270200	SUPERIOR COMPUTER PRODUCTS INC	99,442.59	3,503.00
	ADMINISTRATION & GENERAL		4,089.56
EMPLOYEE SEVERANCE			
45	EMPLOYEE VACATION & SICK		
152775	DELTA DENTAL OF MINNESOTA	22,506.40	88.50
	EMPLOYEE VACATION & SICK		88.50
	TOTAL ALL DEPARTMENTS		263,959.80



ADMINISTRATIVE OFFICES

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

July 16, 2020

Dear Tim Peterson, City Administrator:

Enclosed is the monthly financial report and cash and investment analysis for June 2020.

Cash and Investments

Cash balances are 5% below June 2019. A narrative and several spreadsheets discussing this month's cash and investment activities, and balances are attached.

Cash Flow issues of COVID-19

The City's June cash reserves are \$11.6 million with \$7.5 million in demand accounts and the rest easily converted to cash if needed. The June cash balance (usually lowest month before property taxes and LGA are received, the City also received \$930,000 for COVID aid in July) is 65% of the City's total 2020 operating and debt budget. The City is not projecting the need to issue any cash flow financing at this time and will monitor municipal markets for the best time for the issuance of long-term debt included in the 2020 budget.

Budgets

Revenues/Transfers in – Municipal maintenance is \$10,000 more than budgeted and should be \$20,000 over budget for the year. The State recertified LGA for \$7,000 more than original. SAPPI water revenue water sales are below budget due to the use of river water in January because of dirty water with the lake ice turning over.

Revenue affects from COVID-19

Delayed revenues - City Sales Tax has dropped from \$93,700 in February to \$73,800 in May but back up to \$82,700 for June. Luckily the debt service on the City Sales Tax bond is only about 60% of yearly revenues. Community Development loan deferrals, there were five requests, they are for 3 months but could be extended based on financial circumstances of payee. Property taxes payments could be delayed, MN Counties are discussing extending the payment due date and waiving penalties. Property tax collections are also based on the ability of the property owner to pay. Property taxes shouldn't be an issue for properties that have escrows unless mortgage banks delay submitting tax payments due to delinquent mortgage payments in April and/or May.

Decreased revenues – Interest earning rates are down. Lodging taxes are down but 95% goes to the Chamber so they could see financial pressures. Charitable gambling proceeds are down due to bars being closed. Utility penalties and Library fines have been waived for now. School liaison office for half of March, all of April and May will not be billed. Camping at Spafford – only monthly and seasonal for 2020.

Potential decreased revenues – Municipal State Aid in 2021 for Streets are based on fuel sales? Court fines with less court proceedings? Building permits due to delayed projects by residents and businesses? Liquor licensing if bars close down for good. Local Government Aid unallocation by State (hasn't been discussed but has happened before with State Budget shortfalls)?

Expenditures/Expenses – Selected department and fund expenditures/expenses are analyzed on the following worksheets.

Expenditure affects from COVID-19

PPE & cleaning supplies for the building and police. A separate line item in departments will be used to track these costs. The larger affect could be overtime needed to catch-up due to social distancing reorganization of work schedules/duties.

The State allocated some of the COVID aid they received from the federal government to local governments. The City of Cloquet received approximately \$930,000 in July but needs to be returned if unspent. Departments are reviewing the rules and are finding ways to utilize the potential aid. It appears that the costs of wages for the Police Department and wages for employees placed on paid administrative leave can be recognized as COVID costs.

Major Revenues and Expenditures/Expenses

Revenues:

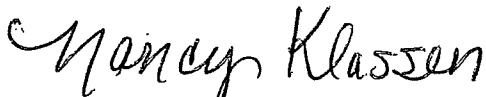
State \$82,700 for city sales tax. Daqota \$223,000 for loan repayment, they sold their building to the MN DNR.

Expenditures/Expenses:

Boldt Construction \$254,900 for Library expansion. Hunt Electric \$21,000 for Library data cabling. LMCIT \$228,000 for second half of general and worker's compensation insurance. Northland Constructors \$80,600 for Prospect Ave project. Superior Communications \$21,100 for Windows 10 upgrade. Trail Logic \$24,400 for the Pine Valley bike trail project.

If you have questions, please feel free to let me know.

Respectfully,



Nancy M. Klassen, CPA, CPFO
Finance Director

City of Cloquet
Select Departmental and Funds Expenditure/Expense Budget Report for June
2020

Fund	2020 Budget	YTD Expend/Expense Budget	YTD Expenditures/ Expenses	Over (Under) Budget	Over (Under) %	
General						
Administration	322,600	177,650	161,500	(16,150)	-9%	1
Human Resources	151,750	76,175	81,285	5,110	7%	
Finance	245,000	127,399	121,831	(5,569)	-4%	
Law	120,000	60,000	55,360	(4,640)	-8%	
Building & Planning	240,100	120,800	114,423	(6,377)	-5%	
Police	3,191,700	1,660,850	1,605,921	(54,930)	-3%	2
Hwy, Streets & Rwy	1,556,400	818,351	779,096	(39,255)	-5%	3
Park	712,450	342,476	365,240	22,764	7%	
Community Dev Operatin	142,850	71,725	81,935	10,210	14%	
Library	648,150	328,475	291,431	(37,045)	-11%	4
Water - LSWL	12,616,200	1,220,251	968,617	(251,634)	-21%	5
Water - In Town	2,241,950	559,476	621,321	61,845	11%	6
Sewer	1,829,800	722,900	721,943	(957)	0%	
Storm Water	511,500	30,750	17,959	(12,791)	-42%	
Cable TV	95,250	44,625	22,155	(22,470)	-50%	7

Note: Does not include transfers.

Explanation of significant variances

- 1 - No City Administrator for first part of January.
- 2 - Unfilled positions. Regular salaries down \$57,400 and overtime up \$20,300.
- 3 - Supply costs down. Timing and delayed work due to COVID-19.
- 4 - Unfilled Adult Librarian position and part time employees laid off.
- 5 - Mostly due to revenue down less water pumped and therefore, electricity usage down.
- 6 - Constructions payments on the water treatment plant.
- 7 - Unfilled Coordinator position.

City of Cloquet
Select Departmental and Funds Payroll Expenditure/Expense Budget Report as of June
2020
Payroll Overtime

Fund	2018 Total	2019 Total	2020 Budget	YTD Expend/ Expense Budget	YTD Expenditures/ Expenses	Over (Under) Budget	(Over) Under %
General							
Police							
Holiday	39,884	42,878	45,000	22,500	23,217	717	3%
Regular	102,223	91,274	50,000	25,000	45,314	20,314	81%
Reimbursed	16,084	35,961	5,000	2,500	3,875	1,375	55%
Hwy & St	26,545	62,380	39,000	19,500	17,889	(1,611)	-8%
Park	12,159	8,155	10,000	5,000	680	(4,320)	-86%
Water - LSW	44,554	52,560	35,000	17,500	17,032	(468)	-3%
Water In Town	28,308	20,773	23,000	11,500	4,870	(6,630)	-58%
Sewer	11,243	19,933	10,500	5,250	6,152	902	17%

1

Explanation of (over) budget

1 - Regular salaries down \$57,400 due to unfilled positions. Two new officers were hired in April.
 More hiring expected soon.

Filename: Expenditure-expense budget report

*City of Cloquet
Cash and Investments
Management Summary
June 30, 2020*

Analysis of Portfolio

Attached is a “Cash and Investment Analysis” which shows the type of accounts and values that make up the City’s cash and investment portfolio.

Current Economics

Totally unknown due to COVID-19. The Governor of MN declared a peacetime emergency on March 13 which is still in effect. He also issued a “Stay at Home Order” on March 27th which ended on May 18th. Federal Stimulus has been given to small and big business, individuals, unemployment, etc. The State of MN received \$2.187 billion of direct funds from the Corona Relief Fund and millions more from a variety of other accounts. The \$2.187 billion was allocated \$1.2 billion for the State and \$984 million for local governments with a population of 500,000 or more (Hennepin & Ramsey Counties). The State is also anticipating using surplus funds and tapping into the rainy day funds for the peacetime emergency. The State allocated \$841 million to local governments under 500,000. The City received approximately \$930,000 (\$75.34 per capita). Unemployment is 11.1% for June.

The City’s certified 2020 LGA was adjusted to \$2,680,600 approximately \$7,000 more than originally certified and \$195,600 more than 2019. The State approved the use changes for the City Sales Tax. The City decreased its levy by 1.5% for 2019 and increased its levy 1.72% for 2020. The 2020 health insurance rates are approximately 5.02% more than 2019.

Current Investment Activity

During June one CD matured and one CD was called for \$500,000 was called for \$390,000. Attached is an “Investment Portfolio Analysis” with the detail of investments.

Variance Analysis

Cash and investments are 5% below June 2019.

The federal benchmark interest rate was lowered on March 15, 2020 to 0% to .25% in attempt to contain the economic fallout due to the coronavirus. Attached is an “Interest Earnings Analysis” which details the average balances invested, rate of return, and prior year rates.

The budgeted interest earnings are \$267,000 for 2020. Interest receipts were \$245,700 for 2019.

City of Cloquet
Cash Balances
June
2020

Fund #	Fund	Amount
101	General	1,167,971.22
201	LDO Loan (EDA)	810,773.51
202	Federal CDBG Loan (EDA)	762,079.92
203	Economic Development Loan (City)	284,130.47
206	Revolving SCGP (EDA)	126,113.12
211	Library	(194,642.21)
220	TIF - Daqota/Woodward	-
221	TIF - 14th Street Apartments	-
222	TIF - Oak Street Apartments	-
223	TIF - Patio Homes	-
225	Permanent Improvement	(673,801.12)
231	Public Works Reserve	48,396.21
260	Landfill Host Fee	447,646.33
370	Swimming Pond Bonds	45,414.66
372	City Sales Tax Bonds	105,327.50
403	Capital Projects - Revolving	(660,613.76)
405	City Sales Tax Capital Projects	2,893,319.33
600	Water - Lake Superior Waterline	1,397,685.90
601	Water In Town	3,238,320.57
602	Sewer	833,415.23
605	Storm Water	145,170.00
614	Cable TV	47,048.02
701	Employee Severance	779,423.37
905	Cloquet Area Fire District	(38,704.96)
	Total	<u>11,564,473.31</u>

*City of Cloquet
Cash and Investment Analysis
June 30, 2020*

	Tentative Goals	Current 6/30/2020	5/31/2020	4/30/2020	3/31/2020	Last Year 6/30/2019
<u>DEMAND ACCOUNTS</u>						
Checking & MM & Savings **	10%-15%	\$7,447,023.93 64%	\$7,797,489.12 63%	\$8,193,981.01 64%	\$8,474,849.58 62%	\$3,405,001.70 28%
<u>INVESTMENTS</u>						
<u>Invested less than one year</u>						
Certificates of Deposit		\$495,000.00	\$640,000.00	\$825,000.00	\$825,000.00	\$1,264,000.00
Municipal Bonds		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Government Agencies		\$505,826.81	\$505,826.81	\$505,826.81	\$505,826.81	\$1,002,405.78
Total invested less than one year	50%-70%	\$1,000,826.81 9%	\$1,145,826.81 9%	\$1,330,826.81 10%	\$1,330,826.81 10%	\$2,266,405.78 19%
<u>Invested one to three years</u>						
Certificates of Deposit		\$905,000.00	\$1,150,000.00	\$1,150,000.00	\$1,150,000.00	\$1,225,000.00
Municipal Bonds		\$1,213,652.69	\$1,213,652.69	\$1,213,652.69	\$1,213,652.69	\$1,084,205.19
Government Agencies		\$0.00	\$0.00	\$0.00	\$0.00	\$505,826.81
Total invested one to three years	10%-20%	\$2,118,652.69 18%	\$2,363,652.69 19%	\$2,363,652.69 18%	\$2,363,652.69 17%	\$2,815,032.00 23%
<u>Invested over three years</u>						
Certificates of Deposit		\$0.00	\$0.00	\$0.00	\$0.00	\$175,000.00
Municipal Bonds		\$997,969.88	\$997,969.88	\$997,969.88	\$997,969.88	\$1,127,417.38
Government Agencies *		\$0.00	\$0.00	\$0.00	\$500,000.00	\$2,445,000.00
Total invested over three years	10%-20%	\$997,969.88 9%	\$997,969.88 8%	\$997,969.88 8%	\$1,497,969.88 11%	\$3,747,417.38 31%
Total	100%	\$11,564,473.31	\$12,304,938.50	\$12,886,430.39	\$13,667,298.96	\$12,233,856.86
Current month variance			(\$740,465.19) -6%	(\$1,321,957.08) -10%	(\$2,102,825.65) -15%	(\$669,383.55) -5%

* - These investments have call dates less than one year.

** - Bond proceeds held in MM account. Arbitrage issues being considered before moving funds.

Note:

Large balance held in money market while the investment market stabilizes.

City of Cloquet
Investment Portfolio Analysis
Detail of Investments June 30, 2020

Brokerage	Purchase Date	Maturity Date	Time Held	Description	Amount	YTM Rate	Annualized Yield	Market Value
Invested less than one year								
Certificates of Deposit								
RBC	9/2/2015	9/2/2020	5 yrs	Capital One MN Mclean VA	\$100,000.00	2.200%	\$2,200.00	\$100,290.00
RBC	10/14/2016	10/14/2020	5 yrs	First Bank PR Santurce	\$150,000.00	1.450%	\$2,175.00	\$150,574.50
Frandsen Bank	9/5/2019	3/5/2021	1 1/2 yrs	Frandsen Bank	\$245,000.00	0.300%	\$735.00	\$245,000.00
					\$495,000.00		\$5,110.00	\$495,864.50
Government Agencies								
Wells Fargo	9/1/2017	9/11/2020	3 yrs	FHLB	\$505,826.81	1.490%	\$7,536.82	\$501,385.74
					\$505,826.81		\$7,536.82	\$501,385.74
Invested one to three years								
Certificates of Deposit								
RBC	6/28/2017	6/28/2021	4 yrs	Sallie Mae BK UT	\$245,000.00	2.150%	\$5,267.50	\$249,882.85
UBS Financial	10/27/2017	10/27/2021	5 yrs	Third Fed S&L Ass	\$240,000.00	2.050%	\$4,920.00	\$245,966.40
UBS Financial	11/17/2017	11/17/2022	5 yrs	KS State Bank	\$175,000.00	2.200%	\$3,850.00	\$183,069.25
RBC	12/13/2019	12/13/2022	3 yrs	BMW Bank	\$245,000.00	1.800%	\$4,410.00	\$254,219.35
					\$905,000.00		\$18,447.50	\$933,137.85
Municipals								
UBS Financial	8/1/2016	7/1/2021	5 yrs	Florida St Rev Ser	\$315,572.50	1.583%	\$4,995.51	\$306,492.00
Wells Fargo	2/21/2017	10/1/2021	4 yrs	Royal Oak MI TXBL	\$510,100.00	2.150%	\$10,967.15	\$508,075.00
UBS Financial	7/17/2017	5/1/2022	5 yrs	Clintondale Mich Schools	\$258,532.69	2.250%	\$5,816.99	\$257,215.00
Wells Fargo	2/23/2017	8/1/2022	5 yrs	Wyandotte Cnty KS	\$129,447.50	2.300%	\$2,977.29	\$129,357.50
					\$1,213,652.69		\$24,756.94	\$1,201,139.50
Invested over three years								
Municipals								
UBS Financial	4/17/2017	8/1/2023	6 1/2 yrs	Victor Valley Cal CC	\$239,562.27	2.305%	\$5,521.91	\$247,903.20
UBS Financial	2/6/2017	12/1/2023	6 yrs	Cook Cnty Cmnty College	\$249,683.72	2.724%	\$6,801.38	\$246,685.60
UBS Financial	10/27/2016	7/1/2025	9 yrs	Selma Ala Rfdg	\$508,723.89	2.400%	\$12,209.37	\$507,620.00
					\$997,969.88		\$24,532.67	\$1,002,208.80
Government Agencies								
					\$0.00		\$0.00	\$0.00
					\$0.00		\$0.00	\$0.00
Totals					\$4,117,449.38		\$80,383.93	\$4,133,736.39
							1.95%	

Note: Market value fluctuates based on current rates being offered. No principal is at risk if securities are held to maturity.

Filename: Monthly Report - Investment Detail

City of Cloquet
Interest Earnings Analysis
Month Ending June
2020

Type	%	Invested Balance	Interest	Rate of Return
Money Markets	18%	\$1,545,472.95	\$126.95	0.10%
Money Market - bond fund	33%	\$2,884,005.98	\$242.05	0.10%
CD's*	18%	\$1,599,000.00	\$2,189.52	1.67%
Municipals*	25%	\$2,211,622.57	\$4,013.65	2.21%
Government agencies*	6%	\$505,826.81	\$612.33	1.47%
Total Investment Return*	49%	\$4,316,449.38	\$6,815.50	1.92%
Total Return	100%	\$8,745,928.31	\$7,184.50	1.00%

Earnings Comparison	Budget	YTD Budget	YTD Actual
2020 Interest Earnings	\$ 267,000.00	\$ 133,500.00	\$75,657.69
2019 Interest Earnings	\$ 242,000.00	\$ 121,000.00	\$113,771.12
2018 Interest Earnings	\$ 326,000.00	\$ 163,000.00	\$160,185.00

Rate Comparisons	Current	Last Month	Last Year	Two Years
	June 2020	May 2020	June 2019	June 2018
Average Total Return	1.00%	0.96%	1.84%	1.72%
Average Investment Return*	1.92%	1.89%	1.73%	1.71%

Filename: Monthly Report - Interest Earnings Analysis 2020



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: James Barclay/Caleb Peterson
Reviewed By: Tim Peterson, City Administrator *TCP*
Date: August 4, 2020

ITEM DESCRIPTION: Library Addition Change Order #5, Teen Space Electrical Modification

Proposed Action

Staff recommends that the City Council move to approve change order #5 to City Contract with Boldt Construction for the Boldt Company to relocate the electrical outlets from the current location below the Makers Table to a location above the makers table.

Background/Overview

Council awarded a contract for construction of the library addition to The Boldt Company in September 2019. Unfortunately, the first round of bids came in significantly over initial estimates and a second round of bids was necessary to bring costs closer to budget. Based on the low bid of \$2,166,900 from Boldt we ended up with a total project cost of \$2,535,021. This total cost included direct bid items for services not included in the construction bid such as low voltage cable wiring, security system purchase architect fees and commission services through McKinstry Industries. The total project cost also included a contingency \$67,447 for unforeseen construction expenses.

Through the process of Value Engineering, City staff, working closely with the Architect and The Boldt Company, was able to decrease the overall cost of construction by enough to add the previously deleted items (circulation desk, display cabinets and flooring for existing library) back into the project.

Change Order #4 – This change order pays for the relocation of the electrical outlets from the current location below and within the cabinets of the Makers Table to a location above the makers table to facilitate use. **Net increase in cost: \$1,954.00.**

Policy Objectives

N/A

Financial/Budget/Grant Considerations

Approval of Change Order #5, as outlined above would result in **no net increase** in the budget but would encroach into the remaining reserve by \$1,954. *Note: The City will still have \$32,828 reserved in budget contingency for any future change orders deemed necessary.*

Advisory Committee/Commission Action

None.

Supporting Documents Attached

- Change Order #5

July, 24 2020

James Barclay
City of Cloquet
104 14th Street
Cloquet, MN 55720

Re: Cloquet Library Addition & Renovation – CO#005 Teens Space Electrical Modification

Dear Mr. Barclay:

The following is a cost breakdown for Change Order #005 for your review and response. This change order is for The Boldt Company to complete the requested modifications to relocate the electrical outlets from the current location below the Makers Table to a location above the makers table. The low voltage work is not included and is to be completed by others.

Contract Value from CO #003	\$	2,183,477.00
Teens Space Electrical Modification	\$	1,954.00
New Contract Value	\$	2,185,431.00
Total (Add/Deduct)	\$	1,954.00

The Boldt Company proposes to complete the above-mentioned scopes of work required for the Cloquet Library Addition & Renovation project for the **Added** amount of One Thousand Nine Hundred Fifty-Four Dollars (\$1,954.00). Applicable back-up is attached to this proposed change order.

Please call if you have any questions.

Sincerely,

Tim Schmidt
The Boldt Company - Project Manager



REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Al Cottingham, City Planner/Zoning Administrator
Reviewed/Approved By: Tim Peterson, City Administrator *TP*
Date: July 29, 2020

ITEM DESCRIPTION: Zoning Case 20-10: Rezoning, Preliminary Plat and Final Plat for Timothy Fosness, East of Briggs Creek Lane and Slate Street

Proposed Action

The Planning Commission recommends the City Council move to adopt:

- **ORDINANCE NO. 491A, AN ORDINANCE TO AMEND CHAPTER 17, BY AMENDING THE ZONING MAP OF THE CITY OF CLOQUET FROM “FR – FARM RESIDENTIAL” TO “R1 – SINGLE-FAMILY RESIDENCE”**

And

- **RESOLUTION NO. 20-49, A RESOLUTION APPROVING A PRELIMINARY PLAT IN THE FR – FARM RESIDENTIAL DISTRICT FOR TIMOTHY FOSNESS**

And

- **RESOLUTION NO. 20-50, A RESOLUTION APPROVING A FINAL PLAT IN THE FR – FARM RESIDENTIAL DISTRICT FOR TIMOTHY FOSNESS**

Background/Overview

Timothy Fosness is proposing a rezoning, preliminary plat and final plat for Fosness Homesites. The property is located east of Briggs Creek Lane and Slate Street.

The rezoning is for a portion of the property from FR – Farm Residential to R1 – Single-Family Residence for Lots 1 and 2. The preliminary and final plats are for the creation of 3 lots for the development of 3 single-family homes with a small extension of City utilities and the creation of a cul-de-sac. The wetlands have been delineated and are shown on the preliminary plat and preserved on the final plat with a drainage easement

A public hearing was held on Tuesday, July 28, 2020 to consider the rezoning, preliminary plat and final plat. A legal notice was published in the Pine Knot on July 17, 2020 and property owners within 350 feet were sent notices of the public hearing.

Policy Objectives

The rezoning of two lots is being proposed since both parcels will be served with municipal utilities. The R1 – Single-Family Residence is appropriate with the neighborhood.

The preliminary plat shows three lots for the single-family homes. All the lots will have frontage on a public road and will meet the minimum lot size requirements for the zoning districts they are in. The wetlands have been delineated, reviewed and the boundaries approved by the Technical Evaluation Panel. There are no proposed impacts to the wetlands.

The developer has also run a hydraulic model for storm water which has been reviewed by the City Engineer and meets requirements. The stormwater will discharge into the wetland area on the site.

The final plat is consistent with the preliminary plat and will need to be amended with the Drainage Easement as noted in the Assistant City Engineer's Memo accordingly prior to the filing of the plat.

Financial Impacts

The Rezoning, Preliminary and Final Plat fees were paid.

Advisory Committee/Commission Action

The Planning Commission has recommended approval of the Rezoning, Preliminary Plat and Final Plat on a 5-0 vote.

Supporting Documents Attachments

- Ordinance No. 491A
- Resolution No. 20-49
- Resolution No. 20-50
- Location Map
- Preliminary and Final Plat
- Engineer's Memo Dated 7-17-2020

ORDINANCE NO. 491A

**AN ORDINANCE TO AMEND CHAPTER 17 OF THE CITY CODE, BY AMENDING
THE ZONING MAP OF THE CITY OF CLOQUET FROM “FR – FARM
RESIDENTIAL” TO “R1 – SINGLE-FAMILY RESIDENCE”**

The City Council of the City of Cloquet does hereby ordain as follows:

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

Lots 1 and 2, Block 1, Fosness Homesites, Carlton County, Minnesota.

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

Passed this 4th day of August 2020.

CITY OF CLOQUET

By: _____
Its Mayor

ATTEST:

By: _____
Its City Administrator

Published this _____ day of _____, 2020.

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

RESOLUTION NO. 20-49

**A RESOLUTION APPROVING A PRELIMINARY PLAT IN THE
FR – FARM RESIDENTIAL DISTRICT FOR TIMOTHY FOSNESS**

WHEREAS, Timothy Fosness is proposing a Preliminary Plat in the FR – Farm Residential District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Knot and property owners within 350 feet have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on July 28, 2020 at which time Zoning Case / Development Review No. 20-10 was heard and discussed; and

WHEREAS, the property of the proposed Preliminary Plat is located east of Briggs Creek Lane and Slate Street and is legally described as follows:

The Northwest Quarter of the Northeast Quarter (NW ¼ of NE ¼), Section 13, Township 49, Range 17, Carlton County, Minnesota, EXCEPTING a parcel more particularly described as follows: Beginning at the junction of the North Road and the Road that runs North through the center of Section 12, this junction lying 2,633 feet East of the Northwest corner of Section 13; thence proceed along the center of the North Road in an Easterly direction, along a line whose direction is North 85 degrees 21 minutes East 140.6 feet; thence continue along the center of said North Road in an Easterly direction, along a line whose direction is North 87 degrees 26 minutes East 361.8 feet; thence at a right angle in a Southerly direction 50 feet to the point of beginning; thence proceed in a Southerly direction at right angles to the center of North Road, 208.7 feet to Southeast corner of this tract of land; thence at a right angle in a Westerly direction along a line which is parallel to the center line of said North Road, 208.7 feet to the Southwest corner of this tract of land; thence at a right angle in a Northerly direction along a line which is at right angles to the center line of North Road, 208.7 feet to the Northwest corner of this tract of land; thence at a right angle in an Easterly direction along a line which is parallel to the center line of North Road, 208.7 feet to the point of beginning and the Northeast corner of this tract of land, which contains one acre of land. Excepting previously reserved minerals or mineral rights, if any. Subject to any easements, restrictions or reservations of record binding upon grantors. And,

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of a Preliminary Plat for 3 lots in the FR – Farm Residential District.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves Zoning Case 20-10 for a Preliminary Plat in the FR – Farm Residential District subject to the following conditions:

1. Compliance with the Engineer’s Memo Dated July 17, 2020.
2. The Final Plat must be recorded with Carlton County prior to any additional building permits being issued.

PASSED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 4TH DAY OF AUGUST 2020.

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator

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

RESOLUTION NO. 20-50

**A RESOLUTION APPROVING OF A FINAL PLAT IN THE FR – FARM RESIDENTIAL
DISTRICT FOR TIMOTHY FOSNESS**

WHEREAS, Timothy Fosness is proposing a Final Plat in the FR – Farm Residential District; and

WHEREAS, the property of the proposed Final Plat is located east of Briggs Creek Lane and Slate Street and is legally described as follows:

The Northwest Quarter of the Northeast Quarter (NW ¼ of NE ¼), Section 13, Township 49, Range 17, Carlton County, Minnesota, EXCEPTING a parcel more particularly described as follows: Beginning at the junction of the North Road and the Road that runs North through the center of Section 12, this junction lying 2,633 feet East of the Northwest corner of Section 13; thence proceed along the center of the North Road in an Easterly direction, along a line whose direction is North 85 degrees 21 minutes East 140.6 feet; thence continue along the center of said North Road in an Easterly direction, along a line whose direction is North 87 degrees 26 minutes East 361.8 feet; thence at a right angle in a Southerly direction 50 feet to the point of beginning; thence proceed in a Southerly direction at right angles to the center of North Road, 208.7 feet to Southeast corner of this tract of land; thence at a right angle in a Westerly direction along a line which is parallel to the center line of said North Road, 208.7 feet to the Southwest corner of this tract of land; thence at a right angle in a Northerly direction along a line which is at right angles to the center line of North Road, 208.7 feet to the Northwest corner of this tract of land; thence at a right angle in an Easterly direction along a line which is parallel to the center line of North Road, 208.7 feet to the point of beginning and the Northeast corner of this tract of land, which contains one acre of land. Excepting previously reserved minerals or mineral rights, if any. Subject to any easements, restrictions or reservations of record binding upon grantors.

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of a Final Plat for 3 lots in the FR – Farm Residential District.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves Zoning Case 20-10 for a Final Plat in the FR – Farm Residential District subject to the following conditions:

1. Compliance with the Engineer’s Memo Dated July 17, 2020
2. The Final Plat must be recorded with Carlton County prior to the issuance of any additional building permits.

PASSED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 4TH DAY OF AUGUST 2020.

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator

LOCATION MAP

Tim Fosness



NO SCALE

PRELIMINARY PLAT OF FOSNESS HOMESITES

LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 49 NORTH, RANGE 17 WEST OF THE FOURTH PRINCIPAL MERIDIAN, CITY OF CLOQUET, CARLTON COUNTY, MINNESOTA

OWNER
THE INC.

DRAWN BY
THE INC.
3000 HIGHWAY 5
ALBORN, MN
PHONE: (218) 522-2741
EMAIL: THEINC@CFCORPORATED.COM

PRELIMINARY PLAT BY ALTA LAND SURVEY COMPANY ON JUNE 7, 2020
FILE NO. 19-13-17
102 S. 21ST AVE. W. SUITE 4
DULUTH, MN 55812
PHONE: (218) 723-0211
EMAIL: DULUTH@ALTA-SURVEY.COM
DAVID R. LANGSON MINNESOTA STATE REG. NO. 49565

ENGINEERING BY NORTHEAST CONSULTING ENGINEERS, LLP
ADAM SWAN, P.E.
102 S. 21ST AVE. WEST, SUITE 1
DULUTH, MN 55812
PHONE: (218) 721-9995
EMAIL: ADAM@NCE-LLP.COM

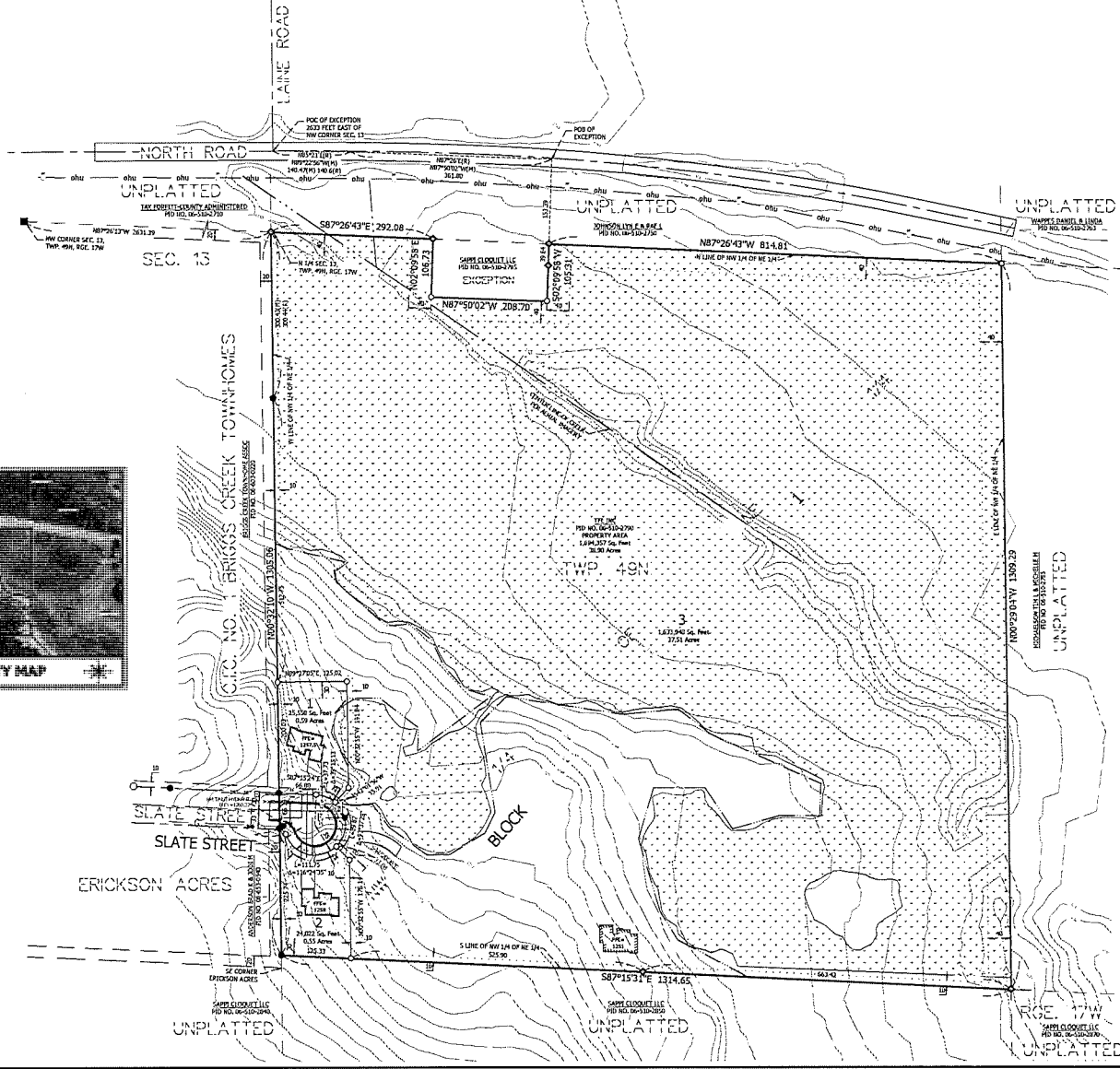
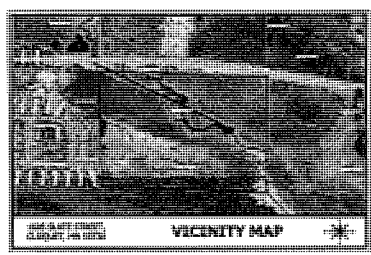
SURVEYOR'S NOTES

1. BEARING AND DISTANCE ON THE CARLTON COUNTY COORDINATE SYSTEM.
2. SCATTER DATA SHOWN HEREON THIS SURVEY WAS DERIVED FROM LIDAR DATA PROVIDED BY THE OWNER. ELEVATIONS HAVE NOT BEEN FIELD VERIFIED. IT IS RECOMMENDED ON THE GROUND MEASUREMENTS BE INCORPORATED INTO ANY AREAS OF PROPOSED DESIGN AND CONSTRUCTION.
3. NO SPECIFIC SOILS INVESTIGATION HAS BEEN COMPLETED ON THIS LOT BY ALTA SURVEY COMPANY, INC. THE SUITABILITY OF SOILS TO SUPPORT THE SPECIFIC STRUCTURE PROPOSED IS NOT THE RESPONSIBILITY OF ALTA LAND SURVEY COMPANY OR THE SURVEYOR.
4. RESEARCHER SHOWN ON SURVEY.
5. SITE ADDRESS IS 3025 SLATE STREET, CLOQUET, MN 55728. SITE IS CURRENTLY UNPLATTED AND UNDEVELOPED.

ZONING AND BUILDING TRACKS FOR THE CITY OF CLOQUET
CURRENTLY ZONED FARM RESIDENTIAL AS TO PARCELS LOT 3, BLOCK ONE FRONT YARD-30 FEET
SIDE YARD-30 FEET
REAR YARD-30 FEET

AND
PROPOSED ZONE RESIDENTIAL 1 AG TO LOTS 1 AND 2, BLOCK 1.
FRONT YARD-25 FEET
SIDE YARD-30 FT OR LEFT FRONTAGE OR UP TO 30 FEET
REAR YARD-30 FEET

FLOOD ZONE INFORMATION
PROPERTY IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN). PER FIRM FLOOD INSURANCE RATE MAP COMMUNITY-NUMBER 29002-01-01, EFFECTIVE DATE: SEPTEMBER 27, 1991.



LEGEND

SECTION SUBRANGE LINE	PROPOSED FINISHED FLOOR ELEVATION (BY OTHERS)
RIGHT OF WAY LINE	ELEVATED
CENTER LINE	SQUARE CATCH BASIN
EXISTING UTILITY EASEMENT LINE	ELEC. PRESTABIL.
PROPOSED DRAINAGE ANCHOR	UTILITY SERVICE
UTILITY EASEMENT LINE	HYDRANT
SURVEY LINE	WATER VALVE
PROPOSED LOT LINE	GAS VALVE
FLAT RESEARCHER LINE	SANITARY MANHOLE
SANITARY SEWER	UTILITY POLE
WATER MAIN	FOUND 3/4\"/>
UNDERGROUND ELEC	FOUND CAPTED REBAR B.S. NO. 52791
OVERHEAD UTILITIES	FOUND CAPTED REBAR IN CONCRETE B.S. NO. 17517
SEWERAGE LINE	FOUND 3/4\"/>
UNDERGROUND GAS	FOUND IRON ROD
PROPOSED BATHING SURFACE	SET CAPPED REBAR B.S. NO. 4952
WET LAND (BY OTHERS)	FOUND POND/UMH/T
	POB POINT OF BEGINNING
	FIELD PROPOSED PROVISION
	RECORD DIMENSION
	SINGLE FAMILY BUILDING PAD

AREA SUMMARY

Total Acreage	38.90 AC
Total Outlot Acreage	0.05 AC
Total Lot Acreage	38.65 AC
Total R/W Acreage	0.25 AC
Number of Outlots	0
Number of Lots	3
Largest lot in Sq. Ft.	1,633,948 SQ. FT
Smallest lot in Sq. Ft.	24,022 SQ. FT
Total Wet Land Area in Acres (per others)	29.94 AC

LEGAL DESCRIPTION PER DOCUMENT NO. 49562

Northwest 1/4 of Northeast 1/4 (NW 1/4) of NE 1/4, Section 13, Township 49 North, Range 17 West, Carlton County, Minnesota, EXCEPTING a parcel more particularly described as follows:

Beginning at the junction of the North Road and the Road that runs north through the center of Section 12, the section line 203.3 feet East of the Northwest corner of Section 13; thence proceed along the center of the North Road in an Easterly direction, along a line whose direction is North 55 degrees 23 minutes East 102.0 feet; thence continue along the center of said North Road in a Easterly direction, along a line whose direction is North 87 degrees 26 minutes East 362.8 feet; thence at a right angle in a Southeasterly direction 50 feet to the point of beginning; thence proceed in a Southeasterly direction at right angles to the center of North Road, 208.7 feet to the Southwest corner of this tract of land; thence at a right angle in a Westerly direction along a line which is parallel to the center line of said North Road, 203.7 feet to the Southeast corner of this tract of land; thence at a right angle in a Southerly direction along a line which is parallel to the center line of North Road, 203.7 feet to the point of beginning and the Northeast corner of this tract of land, which contains one acre of land.

Excepting previously reserved minerals or mineral rights, if any.

Subject to any easements, restrictions or reservations of record bearing upon grant.





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

MEMO

To: Al Cottingham, City Planner
From: John Anderson, Assistant City Engineer
Date: July 17, 2020

SUBJECT: Fosness Development – 1st Review

I have reviewed submitted materials, submitted by Northland Consulting Engineers and ALTA Land Surveying Company. The plans and submittal materials contained the following items:

Preliminary Plat
Final Plat
Site development plan set including 18 sheets

The following are my comments on the plans submitted.

Preliminary Plat

1. It is unclear if the developer plans to prepare a building pad for lot 1 and 2 along with the initial site development. The developer should provide a narrative of the site development sequencing they anticipate.

Final Plat

1. The drainage easement should be expanded to encompass more area adjacent to L23, L24 to allow for room to access and maintain the storm sewer outfall



Site Development plans

1. The engineer has prepared a sewer extension permit that requires approval from WLSSD and MPCA. No sewer extension may take place until this permit has been approved. The City will inspect this work to confirm construction is in accordance with the permit. The Developer and his contractor are responsible to perform all testing including, Low pressure air, mandrel, tracer wire and televising.
2. The engineer has prepared a permit for extension of the water main and submitted this permit to the MDOH. No water extension may take place until this permit has been approved. The City will inspect this work to confirm construction is in accordance with the permit. The developer and his contractor are responsible to perform all testing including, hydrostatic leak test, bacteria, and conductivity.
3. A NPDES construction permit from the MPCA is required to grade the site. The Developer shall provide the City with a copy of this permit before any construction associated with this street extension proceeds. The City will issue a grading permit for the site and as a condition of this permit the developer is required to comply with the requirements identified in the SWPPP included in the site development plans prepared by the engineer.
4. Sewer and water connection permits will be required for each lot at the time the connections are made. The fees associated with these permits are as follows:

Water (City) – cost of water meter, price varies depending on size
CAF (WLSSD) - \$940 for a typical residential unit
5. Stormwater treatment is provided with a storm structure built in the cul-de-sac to trap sediment. The City will be responsible to maintain this structure, which will involve periodic removal of accumulated sediment. The engineer should provide calculations showing the anticipated removal rate and associated required maintenance
6. The developer is responsible to provide material testing and compaction testing associated with construction of public infrastructure including sewer, water, storm sewer and street construction. The City will inspect this work as it progresses.
7. The Engineer has coordinated preparation of the plans with City staff and as such all design comments have been incorporated into this plan set. We have no further comments on the plan details. The engineer should provide a final signed plan set.
8. The Developer is responsible to provide the City with an as built drawing set showing the public infrastructure improvements along with any modifications that take place during the course of construction.
9. At the completion of construction in accordance with City requirements, the city will formally accept the improvements and associate maintain of the improvements.



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: Mayor and City Council
From: John Anderson, Assistant City Engineer
Reviewed by: Tim Peterson, City Administrator *TP*
Date: August 4, 2020

ITEM DESCRIPTION: Final Assessment for the Improvement of Pine Tree Plaza
Frontage Road

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION 20-51, ADOPTING ASSESSMENTS FOR THE IMPROVEMENT OF PINE TREE PLAZA FRONTAGE ROAD AND AREA UTILITY IMPROVEMENTS.**

Background/Overview

As part of the City's 5-Year Capital Improvement Program (CIP) and approved budget, Pine Tree Plaza Frontage road and area utilities were reconstructed in 2019.

A Public Hearing on the proposed project was held on December 18, 2018 and following the hearing, the City Council ordered the improvement. Bids for the project was awarded on June 4, 2019 and construction was substantially completed during the summer of 2019.

A final assessment roll for the improvement has been prepared. In accordance with MN Statutes Chapter 429, the City Council gave notice of a Public Hearing to be held on August 4, 2020, at which time all property owners affected by the improvement will be given an opportunity to express concerns with reference to the final assessment.

The final assessment roll includes 6 individual property parcels and the total proposed assessment is approximately \$113,855.55. All of the individual assessments were calculated based on specific rules and formulas outlined in Chapter 12 of City Code. Assessments would be payable in equal annual installments extending over a period of ten (10) years and bear interest at a rate of four and one half percent (4.5%) per annum. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to September 4, 2020. Any principal not paid by November 30th of each year, would be certified along with accrued interest to the Carlton County Auditor for collection with the Real Estate Taxes payable over the period stated above.

Written or oral objections will be considered at the hearing however no appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the Administrator prior to the meeting or presented to the presiding officer at the hearing. An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within 30 days after adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or Administrator.

Under MN Statutes 435.193 to 435.195, and Chapter 12 of the City Code, the council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. When deferment of the special assessment has been granted and is terminated for any reason provided in the law, all amounts accumulated plus applicable interest become due. Any assessed property owner meeting the requirements of this law and the ordinance adopted under it may, within 30 days of the confirmation of the assessment, apply to the city administrator for the prescribed form for such deferral of payment of this assessment on his property.

Policy Objectives

To adopt a final assessment role for the completed improvement in accordance with current City code and with State Statutes.

Financial/Budget/Grant Considerations

The total cost of the improvement was approximately \$545,226 which is slightly under the estimated amount of \$547,039 used to prepare the preliminary assessment estimates. The budgeted amount for this project was \$580,000. The final assessment role is attached. Assessments levied are used to reimburse the funds from which the project expense was incurred over a period of years as set by the Council following the Hearing.

Advisory Committee/Commission Action

N/A

Supporting Documents Attached

- Resolution No. 20-51
- Final Assessment Roll
- Power Point

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

RESOLUTION NO. 20-51

**RESOLUTION ADOPTING ASSESSMENTS FOR THE IMPROVEMENT OF
PINE TREE PLAZA FRONTAGE ROAD AND AREA UTILITIES**

WHEREAS, In 2018, the City Council received an engineering study to reconstruct the Pine Tree Plaza Frontage Road and Area Utilities including the replacement of existing sanitary sewer and water mains; and

WHEREAS, The Cloquet City Council on December 18, 2018 held a hearing to consider the improvement of Pine Tree Plaza Frontage Road and Area Utilities; 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; and

WHEREAS, Due notice was given that said special assessments would be considered by the City Council at its meeting to be held on August 4, 2020, and at said meeting and time all parties interested were given an opportunity to be heard; and

WHEREAS, The City Council has met, heard and passed upon all objections to the proposed assessment.

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

1. Such assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefitted by the improvement in the amount of the assessment levied against it.
2. Said assessments shall be payable in equal annual installments extending over a period of ten (10) years and shall bear interest at a rate of four and one half percent (4.5%) per annum from August 4, 2020. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to September 4, 2020. Any principal not paid by November 30th of each year, will be certified along with accrued interest to the Carlton County Auditor for collection with the Real Estate Taxes payable over the period stated above.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 4th DAY
OF AUGUST 2020.**

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator

Pinetree Plaza Frontage Road
 Utility & Road Construction
 City Contract No. 1082

Final Project Assessment Roll

Property Owner	Description	Parcel No.	Frontage			Assessment			Total
			Street	Sewer	Water	Street	Sewer	Water	
LUMBERJACK (Plat 705)									
OM AIM, LLC 1552 DEERWOOD DR ST. PAUL, MN 55122 111 BIG LAKE ROAD AMERICINN MOTEL	LUMBERJACK PT OF OUTLOT A COM AT SW COR OF OUTLOT A TH E ON S LN 389.04 FT TH N 245 FT TO PT OF BEG TH S 89 DEG 34 MIN E 250 FT TO W R/W OF HWY 33 TH NWRLY ALG R/W 243.87 FT TO NE COR OF OUTLOT A TH W ON N LINE OF SD OUTLOT 202.11 FT TH S 229.53 FT TH E 30 FT TO P	06-705-0184	0	0	244	\$0.00	\$0.00	\$9,386.68	\$9,386.68
SMF PROPERTIES LLC 63 E 2ND ST, STE 200 SUPERIOR WI 54880 101 BIG LAKE ROAD PERKINS	LUMBERJACK PT OF OUTLOT A LY E OF E LN OF W1/2 OF NE1/4 OF SW1/4 LY IN PARCEL DESC AS ALL TH PT OF OUTLOT A LY S AND E OF FOLL DESC LN BEG AT PT ON S LN OF OUTLOT A 389.04 FT E OF SW COR TH N 245 FT TH E 250 FT TO WRLY R/W OF HWY 33 AND THERE TERM	06-238-0100	0	0	246	\$0.00	\$0.00	\$9,463.62	\$9,463.62
MUY PIZA MINNESOTA, LLC. C/O DAWSON BREMER 17890 BLANCO RD #401 SAN ANTONIO TX 78232 701 HIGHWAY 33 S PIZZA HUT	LUMBERJACK Block: 1 Lot: 3 & 3A ALL THAT PART OF LOT 3 LYING E OF E L OF W1/2 OF NE1/4 OF SW1/4 S 23 T 49 R 17	06-238-0060 08-705-0060 06-238-0040	302	220	220	\$8,114.74	\$9,915.40	\$8,463.40	\$26,493.54
MINERS INC 5065 MILLER TRUNK HWY DULUTH MN 55811 CORNER EMPTY LOT	LUMBERJACK Block: 1 Lot: 1 ALL THAT PART OF LOT 1 LYING E OF E LN OF W1/2 OF NE1/4 SW1/4 SEC 23 TWN 49 RG 17 SUBJ TO GROUND LEASE TO NORTHERN FUEL	06-238-0020	264	187	187	\$7,093.68	\$8,428.09	\$7,193.89	\$22,715.66
MINERS INC 5065 MILLER TRUNK HWY DULUTH MN 55811 707 HIGHWAY 33 S SUPER ONE	LUMBERJACK Block: 1 Lot: 1 ALL THAT PART OF LOT 1 LYING W OF E LN OF W1/2 OF NE1/4 OF SW1/4 SEC 23 TWN 49 RG 17 SUBJ TO MP&L EASE AND ALL LOT 2 5 6 & 7	06-705-0020	0	0	648	\$0.00	\$0.00	\$24,928.56	\$24,928.56
ARCHLAND PROPERTY I LLC PO BOX 182571 COLUMBUS OH 43218-2571 709 HIGHWAY 33 S MCDONALD'S	LUMBERJACK Block: 1 Lot: 4	06-238-0080 06-238-0085 06-230-1657	189	189	189	\$5,078.43	\$8,518.23	\$7,270.83	\$20,867.49
Total Assessed Frontage —			755	596	1734				
						Street	Sewer	Water	Total
Total Assessed Amount —						\$20,286.85	\$26,861.72	\$66,706.98	\$113,855.55
				prelim	Final				
				\$ 47.17	\$38.47	Per Front Foot			
				\$ 48.26	\$45.07	Per Front Foot			
				\$ 45.92	\$26.87	Per Front Foot			

Pine Tree Plaza Area Improvements



Assessment Hearing
August 4, 2020

John Anderson, Assistant City Engineer

1

Agenda – Pine Tree Plaza Frontage Road Assessment Hearing

- Staff Presentation
- City Council Questions
- Open Public Hearing
- Council Consider Adoption
of Assessment Roll

2



3

Project Funding

- Sales Tax Funds
 - Street improvements sanitary sewer, watermain and storm sewer
- Assessments
 - for portions of roadway improvements, sanitary sewer and water replacements

4

Project Costs

- Amount Budgeted for the project – \$580,000
- Feasibility Cost Estimate - \$579,265
- Construction Bid - \$512,018
- Construction Contract Actual – \$511,726.98
- Cost of Easement Acquisition – 33,039.00
- Contracted Engineering - \$33,500.00
- Total Project Cost - \$578,265.98

5

Assessment Ordinance

- Street assessments are based per front foot
- Utilities assessments are on a per front foot
- Street assessment
 - Estimated at \$45.92/ft
 - Actual \$26.87/FT
- Sanitary Sewer assessment
 - Estimated at \$49.26 /ft
 - Actual \$45.07 /ft
- Water assessment
 - Estimated at \$47.17 /ft
 - Actual \$38.47 /ft

6

Assessment Payments

Payment Options:

- Paid in full without interest within 30 days of the assessment hearing
- Certified and added to property taxes
 - Payment period
 - Street reconstruction 10 yrs
 - Interest rate 4.5%
- Payments would begin with 2021 Property Tax

7

Assessment Objections

Process to Object

- Property owner must file written objection with the mayor before completion of this hearing tonight to reserve your right to object
- Serve notice to the Mayor or Administrator within 30 days of this hearing of the objection
- File notice with District Court within 10 days after filing notice with the City

8

Schedule/Public Process

- Public Hearing Dec 2018
- Receive Bids April 2019
- Start Construction Aug 2019
- Substantial Completion Nov 2019
- Assessment Hearing Aug 2020

9

Assessment Roll

Parcel	owner	Assessed for	Assessment preliminary	Assessment Final	easement aquisition	easement vacation	Net
06-705-0184	Americinn	Water	11,509.48	9,386.68	(3,500.00)		5,886.68
06-238-0100	Perkins	Water	11,603.82	9,463.62	(24,541.00)		(15,077.38)
06-238-0060	Pizza Hut	Water, Sewer, Road	35,082.44	26,493.54	(4,998.00)	(4,404.00)	17,091.54
06-705-0060	Miners (Vacant)	Water, Sewer, Road	13,867.84	22,715.66		(6,880.00)	15,835.66
06-238-0020	SuperOne	Water	30,566.16	24,928.56			24,928.56
06-238-0080	McDonalds	Water, Sewer, Road	26,904.15	20,867.49		(7,562.00)	13,305.49
			129,533.89	113,855.55	33,039.00		

10

Agenda – Pine Tree Plaza Frontage Road Assessment Hearing

- Staff Presentation
- City Council Questions
- Open Public Hearing
- Council Consider Adoption
of Assessment Roll



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 28, 2020

Item Description: Appointment of Patrol Commander

Proposed Action

Staff recommends the City Council move to approve the appointment of David O'Connor effective August 18, 2020, to the position of Patrol Commander.

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 Investigations Commander.

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 July 2020, Council approved the appointment of Interim Commander Reed to the position of Commander.

In June 2020, the Cloquet Police Department 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, David O'Connor was the unanimous choice for the position of Patrol Commander.

O'Connor has been a police officer for the past 18 years. O'Connor started his career as a Community Service Officer for the Minneapolis Police Department. He rose through the ranks as a patrol officer, a School Resources Officer (SRO), and is currently a Patrol Sergeant.

O'Connor is a native of Duluth, graduating high school from Duluth Denfeld. O'Connor said he looks forward to working in Cloquet, a community where his grandparents, in-laws, and other family call home. O'Connor comes from a family of public servants. His uncle, Charles, recently retired from the Duluth Police Department, and his father works for the St. Louis County Radio Department, and his brother is a jailer at the Carlton County Jail.

To Mayor and Council
Commander Appointment
August 4, 2020
Page 2

Along the way, O'Connor was elected treasurer of our Police Officer's Federation of Minneapolis, as a member of our community engagement team (Bike Cops for Kids.). For the past ten months, he has served in Minneapolis PD's Homeless and Vulnerable Populations Initiative, where he serves as a conduit/outreach for their unsheltered population.

O'Connor has an AAS degree in Law Enforcement from Normandale Community College (2002), a Bachelor of Science in Finance from Metropolitan State University (2014) and is presently enrolled at Concordia University pursuing my MA in Public Safety Leadership with an expected graduation of Spring 2021.

After accepting the conditional job offer, a background check was conducted on O'Connor that consisted of a review of his entire personnel file with Minneapolis PD, a check of his references, a psychological evaluation, and a medical physical. O'Connor's background was clear of any misconduct and contained many letters of appreciation, commendations, and letters of meritorious acts.

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.

O'Connor's experiences with MPD brings a wealth of knowledge that ranges from patrol tactics, effective patrol supervision, strategies to bring police and community together, finance/budgeting, and finding ways to collaborate with community partners to achieve varying goals.

O'Connor looks forward to working/learning in a smaller department, and at the same time, bringing my experience to this agency/city. O'Connor acknowledges that the way law enforcement does their job has changed and will continue to improve. That change will undoubtedly vary from city to city, and he looks forward to being a part of the leadership team with Cloquet PD as that path is forged.

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

- Patrol Commander Job Descriptions
- Commander Pay Scale



City of Cloquet Job Description

POSITION: Patrol Commander
DEPARTMENT: Police
REPORTS TO: Police Chief

SUMMARY

Under general direction of the Police Chief, plans and coordinates patrol services of the Police Department. The commander conducts and oversees the preliminary and supplementary patrol procedures, traffic enforcement, and is also expected to perform field duties relating to response to emergencies, general and directed patrol, assisting in crime prevention activities and other law enforcement services and duties as required. A significant degree of initiative, independent judgment, and discretion is required of incumbents to develop, maintain and successfully perform supervisory tasks in community oriented, problem solving approach to policing.

ESSENTIAL FUNCTIONS OF THE JOB

A Patrol 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.

Attends City Council meetings, committee meetings, and other meetings as required to present and explain issues pertaining to the community, public safety, and departmental requirements, policies and procedures.

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.

Manages the Patrol Division and activities including enforcement of laws, statutes, and City Code, crime prevention, criminal investigation, emergency communications and other related law enforcement activities.

Directs subordinate supervisors. Provides control and standardization of all operational procedures; including manpower allocation, scheduling, staffing, organization, methods of patrol, patrol coverage, deployment and special patrol activities; i.e. "directed patrol" and "selective enforcement" programs. Delegates and follows up on work of subordinates.

Investigates allegations of misconduct. Supervises and implements corrective actions as necessary to ensure conduct and performance of personnel conform 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.

Reviews and approves assignments of personnel, may order changes in assignments, is authorized to transfer officers temporarily from one shift to another in order to assure a distribution of the force in proportion to the work load on each shift.

Sees that all complaints and calls for service anywhere in the city are promptly and properly investigated and that appropriate action is taken.

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

Supervises maintenance of vehicles, tactical equipment, and other resources related to the police department.

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 judgement. 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.

2020 Teamsters 320 Union Positions

<u>Job Classification</u>	<u>Grade</u>	<u>Points</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>	<u>Step 9</u>
Police Chief	21	610	\$79,859.15	\$82,654.22	\$85,547.12	\$88,541.27	\$91,640.21	\$94,847.62	\$98,167.29	\$101,603.14	\$105,159.25
Patrol Commander	18	485	\$67,051.29	\$69,398.09	\$71,827.02	\$74,340.96	\$76,942.90	\$79,635.90	\$82,423.16	\$85,307.97	\$88,293.74
Administrative/Investigative Commander	18	470	\$67,051.29	\$69,398.09	\$71,827.02	\$74,340.96	\$76,942.90	\$79,635.90	\$82,423.16	\$85,307.97	\$88,293.74

2020 Non-Union Positions

<u>Job Classification</u>	<u>Grade</u>	<u>Points</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>	<u>Step 9</u>
City Administrator	24	765	\$95,113.53	\$98,442.50	\$101,887.99	\$105,454.07	\$109,144.96	\$112,965.04	\$116,918.81	\$121,010.97	\$125,246.36
City Engineer/Dir of Pub Works	22	655	\$84,650.68	\$87,613.45	\$90,679.92	\$93,853.72	\$97,138.60	\$100,538.45	\$104,057.30	\$107,699.30	\$111,468.78
Assistant City Administrator - HR Director	21	590	\$79,859.15	\$82,654.22	\$85,547.12	\$88,541.27	\$91,640.21	\$94,847.62	\$98,167.29	\$101,603.14	\$105,159.25
Finance Director	20	555	\$75,338.81	\$77,975.67	\$80,704.82	\$83,529.49	\$86,453.02	\$89,478.87	\$92,610.63	\$95,852.01	\$99,206.83
Comm. Development Director	20	550	\$75,338.81	\$77,975.67	\$80,704.82	\$83,529.49	\$86,453.02	\$89,478.87	\$92,610.63	\$95,852.01	\$99,206.83
Assistant City Engineer	18	458	\$67,051.29	\$69,398.09	\$71,827.02	\$74,340.96	\$76,942.90	\$79,635.90	\$82,423.16	\$85,307.97	\$88,293.74
Assistant Public Works Director	18	458	\$67,051.29	\$69,398.09	\$71,827.02	\$74,340.96	\$76,942.90	\$79,635.90	\$82,423.16	\$85,307.97	\$88,293.74
Library Director	17	455	\$63,255.93	\$65,469.89	\$67,761.33	\$70,132.98	\$72,587.63	\$75,128.20	\$77,757.69	\$80,479.21	\$83,295.98
City Planner/Zoning Adm	17	455	\$63,255.93	\$65,469.89	\$67,761.33	\$70,132.98	\$72,587.63	\$75,128.20	\$77,757.69	\$80,479.21	\$83,295.98
Utility Maintenance Sup	17	410.5	\$63,255.93	\$65,469.89	\$67,761.33	\$70,132.98	\$72,587.63	\$75,128.20	\$77,757.69	\$80,479.21	\$83,295.98
Street/Park Supervisor	15	375.5	\$56,297.55	\$58,267.96	\$60,307.34	\$62,418.10	\$64,602.73	\$66,863.83	\$69,204.06	\$71,626.21	\$74,133.12
Assistant Finance Director	15	352	\$56,297.55	\$58,267.96	\$60,307.34	\$62,418.10	\$64,602.73	\$66,863.83	\$69,204.06	\$71,626.21	\$74,133.12
Assistant Library Director	15	350	\$56,297.55	\$58,267.96	\$60,307.34	\$62,418.10	\$64,602.73	\$66,863.83	\$69,204.06	\$71,626.21	\$74,133.12
Assist. Utility Maint. Supv.	15	341	\$56,297.55	\$58,267.96	\$60,307.34	\$62,418.10	\$64,602.73	\$66,863.83	\$69,204.06	\$71,626.21	\$74,133.12
Adult Services Librarian	13	296	\$50,104.63	\$51,858.29	\$53,673.33	\$55,551.90	\$57,496.22	\$59,508.58	\$61,591.38	\$63,747.08	\$65,978.23
City Clerk	12	248	\$47,268.50	\$48,922.90	\$50,635.20	\$52,407.43	\$54,241.69	\$56,140.15	\$58,105.06	\$60,138.73	\$62,243.59



ADMINISTRATIVE OFFICES

101 14th Street • Cloquet MN 55720
Phone: 218-879-3347 • Fax: 218-879-6555
email: admin@cloquetmn.gov
www.cloquetmn.gov

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, Public Works Director
Reviewed by: Tim Peterson, City Administrator *TP*
Date: August 4, 2020

ITEM DESCRIPTION: Truck Driver/Utility Maintenance Person

Proposed Action

Staff recommends that the City Council move to approve the one-year probationary appointment of Chase Schaub to the position of Truck Driver/Utility Maintenance Person effective August 17, 2020.

Background/Overview

The vacancy at the Truck Driver/Utility Maintenance position is due to the recent job transfer of Caleb Maki to the vacant Relief Pumphouse Operator position.

In July 2020, the City completed all of the due diligence required and posted the position vacancy as required under the AFSCME labor agreement. The City had no internal applicants and subsequently posted the position to the general public. The City received multiple qualified candidates, interviewed several, and selected Mr. Schaub as our candidate. Mr. Schaub is currently employed Johnson Brothers Liquor Company as a truck driver and will need to provide two weeks' notice if approved by Council.

Policy Objectives

The department currently functions with four Truck Driver/Utility Maintenance personnel. Keeping these positions fully staffed is integral to assuring service demands are met and is consistent with the service level directives of the City Council.

The City Council is the hiring authority for the City as determined by City Code and State law. The City Council must act to appoint these individuals to complete the hiring process.

Financial/Budget/Grant Considerations

This position is currently fully funded as part of the adopted 2020 operating budget. There should be no additional impact on the tax levy or in-town utility rates.

Advisory Committee/Commission Action

- None

Supporting Documentation Attached

- None



ADMINISTRATIVE OFFICES

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Tim Peterson, City Administrator *TP*
Date: August 4, 2020

ITEM DESCRIPTION: Library Foundation – Gift Agreement for Naming Rights

Proposed Action

Staff recommends that the City Council move to approve “The Cloquet Public Library Gift Agreement for Naming Rights” solicited by the Cloquet Shaw Memorial Public Library Foundation, Inc with Members Cooperative Credit Union.

Background/Overview

As part of its fundraising campaign the Library Foundation along with the Library Board has been raising money to off-set the \$250,000 donation they provided the City to support construction of the Library addition. One mode of fundraising they have used is to offer naming rights to components of the Library for donations.

The Library foundation has worked out an agreement with Members Cooperative Credit Union (attached) for the opportunity to name the two (2) Reading Corners of the library in exchange for a gift of \$10,000 payable upon execution of the attached agreement.

Monies raised by the Library Foundation will be used to support the purchase of furnishings within the Library.

Policy Objectives

N/A

Financial/Budget/Grant Considerations

None. This money is being granted to the Library Foundation not the City.

Advisory Committee/Commission Action

Approved by the Library Foundation and Library Board

Supporting Documents Attached

Gift Agreement

The Cloquet Shaw Memorial Public Library Foundation, Inc.

320 14th Street, Cloquet, MN 55720

(218) 879-1531 A tax-exempt not-for-profit 501(c)(3) corporation. EIN: 41-1460284

The Cloquet Public Library Gift Agreement for Naming Rights

For the *Reading Corners (2)*

The Cloquet Shaw Memorial Public Library Foundation, Inc. (Foundation), along with the Library Board (Board), and the City Council of Cloquet, MN (Council), have worked to add an additional 7,000 square feet of space to the existing library building. In support of that project and the furnishing of the same, Members Cooperative Credit Union, Cloquet, Minnesota, (the undersigned donor) intends to provide a gift of \$10,000 to the Foundation, payable upon execution of agreement, for the two (2) reading corners (Naming Right).

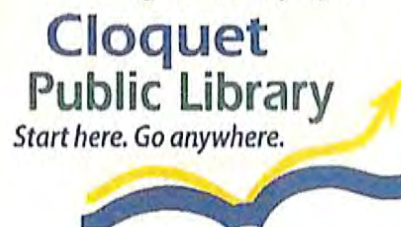
It is the donor's wish that the room or area above be named and marked with signs or plaques. Appropriate signage shall be negotiated by all the parties and be provided by Members Cooperative Credit Union.

This agreement shall not preclude other donations, grants, naming, or recognition of other areas of the library facility in either the original building or the addition and shall only apply to the designated reading corners.

This Naming Right will remain in place for twenty (20) years, or the normal life of the room or area whichever is shorter. At the end of that period, the rights may be renegotiated and renewed with Members Cooperative Credit Union having the first right of refusal.

When the named reading corners have reached the end of their useful life and will be replaced or substantially renovated, the replaced or renovated space may be renamed in recognition of a new donor or honoree. Appropriate recognition of earlier donors or honorees shall be included in or adjacent to new, renovated or redeveloped facilities.

Page 1 of 2 pages



The Cloquet City Council, the Cloquet Shaw Memorial Library Foundation, the Library Board, and Members Cooperative Credit Union acknowledge this gift and the terms stated within by the signature of their duly authorized representatives on duplicate copies of this agreement.

Members Cooperative Credit Union

City of Cloquet

Lara Wilkinson, Marketing Director
Printed Name, Title

Printed Name of Mayor

Lara Wilkinson
Signature

Mayor, City of Cloquet

July 28, 2020
Date

Date

Cloquet Shaw Memorial Library Foundation, Inc.

Library Board

Terry Anderson Pres.
Printed Name, title of Officer

Kathy Blais, Secretary
Printed Name, title of Officer

[Signature]
Signature of Officer

Kathy Blais
Signature of Officer

7/28/2020
Date

7/28/2020
Date



COMMUNITY DEVELOPMENT DEPARTMENT
101 14th Street • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555
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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Al Cottingham, City Planner/Zoning Administrator
Reviewed By: Tim Peterson, City Administrator *TP*
Date: July 29, 2020

ITEM DESCRIPTION: Zoning Case 20-05: Zoning Ordinance Text Amendment –Mobile Storage Structures

Proposed Action

The Planning Commission recommends the City Council move to adopt:

- **ORDINANCE NO. 488A - AN ORDINANCE TO AMEND CHAPTER 17 OF THE MUNICIPAL CODE PERTAINING TO MOBILE STORAGE STRUCTURES**

Background/Overview

The City of Cloquet is proposing to amend Section 17.5.07 Mobile Storage Structures.

The change to the Mobile Storage Structures is to more clearly define where they are allowed in the residential, commercial and industrial districts. This issue came up earlier last year when a commercial property owner was using them as mini storage purposes. The Planning Commission met and discussed the ordinance along with possible changes. During their discussion they felt the ordinance should not allow them to be used as a mini storage business but they should be allowed on commercial property for the use of the business there. The proposed ordinance does have a time limit on how long the containers can be kept on commercial/industrial property. This may cause an issue for some properties.

A public hearing was held on Tuesday, June 9, 2020 to consider a possible amendment to Section 17. A legal notice was published in the Pine Knot News on May 29, 2020. Property owners were **not** sent a notice of the hearing since this is a textual amendment.

Policy Objectives

As times change amendments to the ordinance are made to try to stay current with things.

Financial/Budget/Grant Considerations

The Zoning Ordinance Text Amendment fee is \$300. These fees have been waived since the city is the applicant.

Advisory Committee/Commission Action

The Planning Commission discussed this matter at a couple of meetings and felt the code should be amended so there would be no confusion pertaining to where and how mobile storage structures could be used.

The Planning Commission has recommended approval of the Zoning Ordinance Text Amendment on a 7–0 vote.

Supporting Documentation Attached

- Ordinance No. 488A

ORDINANCE NO. 488A

AN ORDINANCE TO AMEND CHAPTER 17 OF THE MUNICIPAL CODE PERTAINING TO MOBILE STORAGE STRUCTURES

The City Council of the City of Cloquet does hereby ordain as follows:

Section 1. Section 17.5.07, **Mobile Storage Structures**, is deleted and replaced with the following to read as follows:

17.5.07 Mobile Storage Structures/Shipping Containers. Any assembly of materials which is so designed, constructed or reconstructed to make it portable and capable of movement from one site to another, designed to be used without a permanent foundation, designed with the purpose of storing tangible property and not for occupancy by persons, and to have one dimension exceeding ten (10) feet.

Subd. 1 Procedure for Residential Properties. The erection of a mobile storage structure shall require an administrative permit as may be issued by the City Planner/Zoning Administrator, except as otherwise provided by this Chapter.

Subd. 2 Special Requirements for Residential Properties.

- A. Location. Mobile storage structures may be located as a temporary structure on property within the City.
- B. Time Limitations. Mobile storage structures are allowed for a period not exceeding 48 hours in duration on a public street and not exceeding three weeks on private property, from time of delivery to time of removal. Exceptions for special circumstances may be granted by the City Planner/Zoning Administrator.
- C. Placement. No more than one mobile storage structure may be located on a specific piece of property within the City at one time. Such temporary structure may not be located on a specific property more than two times in any sixty-calendar-day period. Such temporary structure shall be located no closer than ten (10) feet to the property line unless on a driveway and must be placed on an impervious surface. Such structure may not be placed in a fire lane, or on a sidewalk. Such structure may not exceed eight feet six inches in height, ten (10) feet in width or twenty (20) feet in length. It shall be the obligation of the owner or user of such temporary structure to secure it in a manner that does not endanger the safety of persons or property in the vicinity of the temporary structure.

Subd. 3 Commercial/Industrial Properties. The erection of a mobile storage structure/shipping container is allowed on commercial and industrial properties. The storage structures do not need to meet the architectural and material design standards that may apply to the property. The storage structures can only be used by the businesses that are located on the site and not rented out for other users on the site. Containers may be kept on the site for purposes of being for sale or rental purposes off the site.

- A. Location. Mobile Storage structures/shipping containers are considered an accessory structure and must be located on property with a principal structure and meet the setback requirements for an accessory structure.
- B. Time Limitations. Unless the mobile storage structure/shipping containers are for sale or rental off site then they are allowed for a six-month period. There is no time limit on for sale or rental units.
- C. Placement. No more than 10 mobile storage structures/shipping containers may be located on a piece of property within the City at one time unless they are being offered for sale or rental off site. Such structure may not be placed in a fire lane or on a sidewalk and must meet the minimum setbacks for an accessory structure in the zoning district they are located in.

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

Passed this 4th day of August 2020.

CITY OF CLOQUET

By: _____
Its Mayor

ATTEST:

By: _____
Its City Administrator

Published this _____ day of _____, 2020.



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 *TL*
Date: August 4, 2020

ITEM DESCRIPTION: Inflow and Infiltration Grant Program Policy

Proposed Action

Staff recommends the City Council move to adopt the Inflow and Infiltration Private Sewer Service Grant Program Policy.

Background/Overview

At the July 21, 2020 City Council meeting, Council updated chapter 11 of City Code regarding 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 reduction of I&I in the sanitary sewer system is important as it is a key factor in protecting public health, minimizing environmental impacts, and lowering operation costs. That said, addressing I&I in private sewer services can be very expensive for a homeowner with bills for lining or replacement that can exceed \$10,000 in some instances. The purpose of a grant program is to incentivize the repair, as many private sanitary sewer service lines in the City are contributing to overloading of the sanitary sewer system. By providing financial assistance to mitigate the financial impacts of this program on individuals, the City can minimize enforcement, reduce long term operation costs, and offer assistance to homeowners with existing sewer issues.

The attached policy lays out how the grant program will function including the application process, eligibility requirements, and staff review prior to the release of funds. Qualifying owners would receive a grant for eighty (80%) percent of eligible costs of the work up to a maximum grant amount of \$4,000.

Under the new WLSSD requirements, the City has committed to the repair of 20 private services each year. The grant program is fully funded in the 2020 sewer utility budget at \$80,000. Note, the adoption of this policy implements the program but it does not require funding in future years if Council priorities change. Grants would be available on a first come first serve basis with funds reserved upon submittal of an approved application.

To Mayor and Council
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Policy Objectives

To protect public health and lower sanitary sewer operating expenses in accordance with State Statute and City Code regarding the distribution of public funds.

Financial/Budget/Grant Considerations

The 2020 budget includes \$80,000 from the Sanitary Sewer Utility to fund the proposed grant program. The program is 100% funded by the current sewer rate structure.

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- I&I Grant Program Policy

Inflow and Infiltration Private Sewer Service Grant Program Policy



City of Cloquet, Minnesota

Policy and Statement of Purpose

The City of Cloquet has existed as a city along the St. Louis River for more than 100 years and many of its residential neighborhoods and the utilities that serve them, including sanitary sewer services are also very old. Because of this age factor and because of the extreme of weather and geological stresses that sanitary sewer, including the private sewer services lines carrying sanitary sewage from individual structures to the City's sanitary sewer mains which are the responsibility of the individual Owners, has been subjected to significant and unusual stress, causing many partial failures of that system and admitting clear groundwater into that system, overloading its capacity and leading to overflows of untreated sanitary sewage entering the sewage collections system and ultimately Lake Superior.

The City has long recognized Lake Superior not only as a local asset to its commerce, its well-being and its quality of life but also as a national treasure which the City needs to protect and, to that end, the City has established a policy of striving to reduce or eliminate sources of pollution upon which it can have an impact and which could negatively impact Lake Superior, including those sanitary sewer overflows, while, to the extent possible, trying to avoid unduly burdening its citizens and utility rate payers.

Continuing investigation of the source of clear water inflow and infiltration into the City's sanitary sewer system has revealed that one of the major remaining sources of such inflow and infiltration are the privately owned and maintained sanitary sewers connecting private structures with the City's sewer mains and so, in conjunction with the Western Lake Superior Sanitary District, the City has determined to develop and implement a program to incentivize the repair, replacement or lining of as many of the private sanitary sewer service lines in the City as are contributing to the overloading of its sanitary sewer system by clear water and to provide financial assistance to its citizens to mitigate the financial impacts of this program on the individuals who will bear a portion of the costs of this necessary work.

For these reasons and pursuant to the authority granted to the City pursuant to Minnesota Statutes Section 471.342, the City does hereby establish the following Guidelines for the City's Private Sewer Service Grant Program (hereinafter referred to as the "Program").

I. Grant Program Concept

Pursuant to and subject to the process set forth below the City will determine whether properties are contributing clear, unpolluted water (hereinafter referred to as "I/I") to the City's sanitary sewer mains by virtue of a deteriorated or damaged private sewer service (that portion of the sewer system connecting a private structure with an adjacent City-owned and maintained sewer main (hereinafter referred to as a "Service"). Upon determination that a Service is contributing I/I to the City's sanitary sewer mains (hereinafter referred to as an "Identified Service"), the City will notify the property Owner of this condition and that the property Owner or Owners (hereinafter referred to as the "Owner") need to repair, replace or line their Service and will further notify them that, upon completion of such repair, replacement or lining in a satisfactory manner, the City may reimburse Owner, in the form of a grant, for Eighty (80%) percent of their cost of the work up to a maximum grant amount of \$4,000 except as

provided for below. The Owner will be responsible for properly applying for the grant and having all inspections of the Work done and for submitting all necessary documentation to the City in Order to be entitled to the reimbursement grant.

II. Identification of Properties Eligible for Grants

The Public Works Director will evaluate a minimum number of services annually agreed upon with WLSSD by closed circuit television (hereinafter referred to as "CCTV") of the City's mains to identify Identified Services. Video records of examinations will be retained by the Public Works Director until at least three years after notices are sent to Owners as provided for in Article III Section 1 below.

III. Notice to Owners

1.) At a time deemed appropriate by the Public Works Director after any Identified Service has been identified, the Public Works Director will cause a written "I/I Private Sewer Service Notice to Correct" (hereinafter referred to as the "Notice") to be sent to the Owner of the property served by the Identified Service by depositing the Notice in the U.S. Mail, registered mail, as herein after provided for. For the purposes of this notice, the Owner shall be deemed to be the person or persons identified as such on the information on file in the office of the Carlton County Recorder and the address of the Owner shall be deemed to be the address shown on such records.

2.) The Notice referred to in Article III Section 1 above shall include the following:

- a.) The name and address of the Owner.
- b.) The address of the property served by the Identified Service.
- c.) Notification that the Identified Service has been determined to be allowing I/I to enter the City's sanitary sewer mains and that the Identified Service must be repaired, replaced or relined (hereinafter referred to as the "Work").
- d.) Notification that the Work must be completed on or before a specified date, one (1) Year from the date of the Notice and setting forth the consequences of failure to complete the Work within the time specified.
- e.) Notification that the Owner is eligible for participation in the program to defray a portion of the cost of the Work.
- f.) Notification that the video recording which identifies the Owner's Identified Service is available for review upon arrangement with the Public Works Director and providing the name and telephone number of the person who the Owner should contact to make such arrangement.
- g.) Notification that the Owner may appeal the Notice to the Cloquet City Council (hereinafter referred to as "the Council") by submitting a written appeal to the Council at the address specified in the Notice within thirty (30) days of the date of the Notice as provided for in Article IV below.

IV. Appeals

Any Owner disputing the facts supporting the Notice may appeal from the Notice within thirty (30) days of the Notice as provided for in this Section. The appeal shall specify in writing all grounds for the appeal and all facts supporting the appeal. In addition, it shall be accompanied by an appeals fee of \$250 to reimburse the City for its costs of processing the appeal. Failure to file an appeal within thirty (30) days of the date of the notice or to accompany such appeal with the appeals fee, where required, shall constitute a waiver of the right to appeal the Notice.

1.) Grounds for Appeal

Valid grounds for appeal shall be those set forth below; the decision of the Council shall be final:

- a.) That the appealing Owner is not responsible for the subject Identified Service.
- b.) That the Identified Service is not contributing I/I to the City's sanitary sewer main.

c.) That the Identified Service is no longer contributing I/I to the City's sanitary sewer system due to removal of a direct connection thereto.

2.) Testing process under Section IV 1(b) above:

Any appellant appealing based on the grounds for appeal set forth in Section IV 1(b) above, shall, by the filing of his or her appeal, agree to proceed under the testing procedures set forth in Section 3 below and shall have paid the appropriate fee. The testing method shall be Lateral Air Test as provided for in Section 4 below.

3.) Appeals Process

The following procedure shall be followed where an appellant chooses the Testing Process specified in Section 2 above:

a.) Upon receipt of such an appeal, the Council shall cause a copy of said appeal to be sent to the Public Works Director.

b.) As soon thereafter as is reasonably practical, the Appellant shall hire a licensed plumber to conduct the lateral air test to be observed by the City Building Official.

c.) After completion of any testing procedure, the City staff person on site will attempt to contact the appellant to verify whether they still wish to continue their appeal.

d.) If the appeal is to be continued, a copy of the test results will be forwarded to the Council, an appeal date will be scheduled and notice of the date, time and place where the appeal will be heard will be mailed to the appellant at least ten (10) days prior to the date of the hearing.

e.) At the hearing Public Works shall present evidence supporting the City's determination and the Appellant may present such evidence as it is relevant to the grounds for his or her appeal. If the Council determines that the Identified Service is contributing I/I to the City's sanitary sewer system, the Owner's appeal shall be denied and the City may proceed with the process established by ordinance and these Guidelines; the Owner will remain eligible for a grant under this Program. If the Council determines that the Identified Service is not contributing I/I to the City's sanitary sewer system as defined herein, the City shall return the appeals fee, the Notice shall be withdrawn, the service in question shall no longer be deemed to be an Identified Service and Owner shall have no further obligation to repair, replace or reline the previously Identified Service unless and until subsequent testing of said lateral line reveals a change in the condition of such line.

4.) Lateral Air Test Requirements

a.) When an Appellant has filed an appeal and has requested that his or her lateral line be tested by means of a Lateral Air Test as authorized in Section 2(b) above the Appellant shall hire and pay for a plumber licensed as such by the State of Minnesota who has the professional skill, knowledge and equipment to perform such a test, the identity of which shall be subject to the approval of the Building Official. The Appellant shall arrange for the performance of the test by said plumber at a time and date acceptable to the Building Official.

b.) At the date and time established for the Test, the Appellant or other person acting on behalf of Appellant shall provide access to the structure served by the subject lateral line sufficient to allow the City's personnel to observe the conduct of the air test. If the appellant fails or refuses to make such access available to the City, such Appellant's appeal shall be deemed to be abandoned and the City may proceed to enforce the Notice originally provided.

c.) The Appellant shall cause an air test to be conducted on the subject lateral line in a manner complying with the requirements for such tests under the Minnesota State Plumbing Code. The entire lateral line from the point where such line commences under the foundation of the subject structure to the wye-connection to the City's main shall be tested.

d.) Upon completion of the air test process and prior to leaving the site (should the Owner not have chosen to watch the process), the City staff person observing the test will attempt to make contact

with the Appellant in person and inform them of the results of the process. If unable to contact the Owner in person, the staff person will either call the Owner or send a letter with the results.

e.) If as a result of the Lateral Air Test it is determined that the Appellant's Identified Service is not contributing I/I to the sanitary sewer system, Public Works will reimburse the Appellant for the reasonable cost of the Lateral Air Test upon presentation to Public Works of documentation of the cost thereof up to an amount of the appeals fee paid by Owner.

V. Grant Program

1.) Any Owner desiring to receive a grant under the Program to defray a portion of the cost of the Work shall, with the help of the City Staff, complete and execute an "Application for Private Sewer Service Grant Funds Form", which Form shall be developed for this purpose by the Public Works Director. Upon completion and execution of the Form by the Owner, the Owner shall cause the Form to be transmitted to the Public Works Director or designee for his or her approval.

2.) The above form shall contain at least the following information:

- a.) The name and address of the Owner.
- b.) The address of the property served by the Identified Service.
- c.) A description of the Work to be performed about the Identified Service.

3.) To be eligible for a grant under the Program, footing and foundation drains on the property served by the Identified Service shall have been previously disconnected from the City's sanitary sewer system and a sump pump shall have been installed if necessary or Owner shall commit to the completion of such disconnection and sump pump installation at the same time as the Work is performed. Provided, however, that such disconnection work and sump pump installation shall not be part of the Work under the Program and shall not be available for grant fund reimbursement under the Program.

4.) Upon receipt of the form complying with the requirements of the Program and subject to available funds for the Program, the Public Works Director may approve the Form and approve funding of a grant as herein provided for the Work on the Identified Service. Notice of such approval shall be sent to the Owner in the same manner as the Notice.

5.) Upon receipt of approval of grant funding for the Work from the Public Works Director, the Owner may thereafter contract for the construction of the Work.

6.) Upon completion of the Work in accordance with the requirements of Article VI below, the Owner, with the assistance of City Staff, will complete and execute a "Private Sewer Service Payment Form", which, together with such documentation as the Public Works Director shall reasonable require, shall be sent to the Public Works Director at the address specified on the Payment Form.

7.) Upon approval by the Public Works Director of the payment Form of the Work and of the required documentation, the Public Works Director will cause a disbursement of grant proceeds to be made to the Owner, subject to available funding and to the limitations of Section 8 below.

8.) The amount of the grant available under the Program with regard to the Work related to any single Identified Service shall be equal to eighty percent (80%) of the out-of-pocket costs to the Owner of constructing the Work as approved pursuant to Section 3 of this Article above, up to a maximum grant amount of Four Thousand Dollars (\$4,000).

9.) Only costs related to performance of the Work will be eligible for grant funds reimbursement.

VI. Performance of the Work

1.) The Owner shall be responsible for securing or for having secured by Owner's contractor all permits required under the Minnesota State Building Code and ancillary codes adopted by reference and any other required permits and for paying the costs thereof. The cost of such permits shall be the responsibility of the Owner but shall constitute an eligible cost of the Work for the purposes of the grant.

2.) The Owner shall be responsible for having the Work performed by a licensed contractor within the time parameters set forth in the order and for paying the contractor or contractors performing the Work for the costs thereof. The cost of performing the Work shall be the responsibility of the Owner but shall constitute an eligible cost of the Work for the purposes of the grant.

3.) The Owner has the option to perform the Work themselves under the following conditions:

a.) The property is an owner-occupied single-family home as allowed under Minnesota State Building Code.

b.) Documentation of eligible costs of the Work shall be itemized including all required equipment rentals, materials and permits. The owner shall not be eligible to claim labor charges for his or her own time.

c.) The Owner remains responsible for securing all required permits and inspections per Section VI 4) below.

4.) The Owner and his or her contractor shall be responsible for securing and having performed all inspections necessary to insure that the Work has been performed in accordance with the requirements of the Notice, of the plans for the work and in conformance with the Minnesota State Building Code and ancillary codes adopted by reference. The cost of such inspections shall be the responsibility of the Owner but shall constitute an eligible cost of the Work for the purposes of the grant. **Failure to secure and have performed all such inspections shall be grounds for denying reimbursement under the Program.** In addition, the costs, if any, incurred to inspect any work which is covered or obscured prior to the performance of any required inspection shall not be eligible for reimbursement under the Program.

VII. Failure to Complete Work-Surcharge.

1.) If any Owner fails to complete the Work within one (1) year of transmission of the Notice as provided for in Article III Section 1 above, a surcharge for noncompliance as provided for in City Ordinance Section 11.6.02 Subd 1 shall be imposed on the Owner as provided for therein.

2.) Notwithstanding the provisions of Section 1 above, the Public Works Director in the exercise of his or her discretion, upon a finding of special circumstances or good cause not attributable to the Owner, may authorize an extension of time to perform the Work; provided that the written findings of fact setting forth the nature and character of the applicable special conditions or good cause shall be prepared and kept on file in the office of the Public Works Director for so long as the Work has not been performed and the extension is in effect.

VIII. Voluntary Participation

1.) Any Owner that believes that their Service is contributing I/I to the City's sanitary sewer system who wishes to participate in the program and is willing pay any unreimbursed costs and to otherwise abide by the terms of the Program may prepare and execute a "Application for Private Sewer Service Grant Funds Form" per Article V Grant Program above.

2.) Application for grant funds signifies the Owner's agreement to participate in the program and to be bound by the terms thereof, including agreement that Program grant funds will only be available if the subject Service is found to be contributing I/I to the City's sanitary sewer system and that Owner's ability to participate in the Program will be subject to the approval of the Public Works Director.

3.) Upon receipt of a Voluntary Application, the Public Works Director may cause the subject Service to be evaluated in the manner provided for in Article II above, subject to his or her determination of allocation of available evaluation resources. Such evaluation shall be made by the City at no cost to the Owner except as provided for in Section 4 below.

4.) Upon a determination by the Public Works Director that the subject Service is contributing I/I to the City's sanitary sewer system or that the service has documented structural failure or a documented history of backups, subject to available resources on a first come first serve basis, the Public Works Director may designate the subject Service to be an Identified Service and upon such designation, said Service and the Owner thereof shall be subject to the terms and condition of this Policy

5.) Voluntary participants are subject to the terms detailed in sections V. Grant Program, VI. Performance of Work and, VII Failure to Complete Work-Surcharge

Adopted by the City Council of the City of Cloquet on this 4th day of August 2020.

Roger Maki, Mayor

ATTEST:

Tim Peterson, City Administrator

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APPLICATION FOR CITY OF CLOQUET
PRIVATE SEWER SERVICE PROJECT GRANT FUNDS

Property Address: _____
Owner Name(s): _____
County Parcel No.: _____

(I)(We)The undersigned _____ owner(s) of the property at:
_____ Phone Number _____

hereby apply for Private Sewer Service Funds of up to 80% of completed project not to exceed \$4,000 to pay for a portion of the cost of making the following described alterations, repairs, or improvements at the above described address: *(Circle One)*

REPLACEMENT OR LINING OF PRIVATE SEWER SERVICE LINE

(I)(We) understand that the requested funds will be disbursed on a reimbursement basis only upon satisfactory completion of the above described work and after all required city permits/inspections have been made and a disclaimer is signed by me as property owner. Upon proof of payment the City will reimburse up to 80% of the total cost not to exceed \$4000.00 for the replacment or lining of the private sewer service line.

(I)(We) further understand that the City will need access to inspect the above described alterations or repairs, or any other portion of the sanitary sewer system impacted during the period of the Private Sewer Service Project. (I)(We) further understand that the City may require further access, from time to time, to inspect the improvements constructed under the Program. Therefore, (I) (We) hereby agree to permit such access at reasonable times upon notice by the City.

(I)(We) further understand that it is (my)(our) responsibility to obtain any required permits and/or inspections and final approval by the appropriate City Staff prior to the release of the grant funds.

(I)(We) further understand that failure to complete the approved improvements within one (1) year of transmission of the Notice of Grant Approval will result in a surcharge for I/I noncompliance added to (my)(our) utility bill unless a written extension is granted by the Public Works Director for good cause not attributable to the owner.

(Signature of Applicant)

Date: _____

Approved by City of Cloquet:

Date: _____



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

Insert Date

INSERT NAME
XXX 10th Street
CLOQUET MN 55720

Dear *Insert Owner Name*:

RE: *XXX 10th Street I/I Grant Application*

Your *Application for City of Cloquet I/I Reduction Program Grant Funds* has been approved.

Please contact my office when the project has been completed and the attached Payment Form is fully executed along with all required documentation. Payments will only be made when all work is completed, all required inspections have certified the work meets current code and proof of contractor payment is provided.

Once the completed Payment Approval Form and supporting documentation have been approved the I/I Grant Funds will be released to you for the specified work, not to exceed \$4,000. Please note processing release of grant funds may take up to 4 weeks before payment is made.

You are responsible for verifying that the project has been completed to your satisfaction. The City makes no warranties for work completed by your private contractor.

If you have any questions or concerns, please do not hesitate to contact me.

Thank you,

Caleb Peterson

Caleb Peterson
Public Works Director
218-879-6758

Enc: Private Sewer Service Payment Form



DEPARTMENT OF PUBLIC WORKS

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Notice to Correct
THE BUILDING AT:

Insert Address
Owner Name: *Insert Name*
PID #:xxx-xxx-xxxx

I *Insert Staff Name* a qualified inspector with the City of Cloquet, inspected the building on the above described property. At the time of this inspection, I observed that this building was contributing clear water from the private sanitary sewer service to the City's Sanitary Sewer System and therefore was not in compliance with Section 11.4.07 of Cloquet City Code.

Pursuant to Section 11.4.09 of the Cloquet City Code:
This is official notification to repair, replace or reline the private sanitary sewer system within one (1) year of this notice. Failure to comply within 1 year will result in an additional monthly surcharge to the sewer utility bill for the above property until such time as the correction is completed.

Owners who comply with all program requirements are eligible to receive a grant for eighty (80%) percent up to a maximum amount of \$4,000 towards required repairs. More information regarding the grant application and program requirements can be found in the attached "Private Sewer Service Grant Program Policy."

The video recording which was used to identify a clear water contribution from your property at *insert address* is available for review by contacting City Hall at (218)879-6758.

Building owners may appeal this notice to the Cloquet City Council by submitting a written appeal within thirty (30) days of the date of this notice in accordance with the attached policy.

Insert Signature
City of Cloquet

Date *Insert Date*



**PRIVATE SEWER SERVICE GRANT FUNDS
PAYMENT APPROVAL**

NAME: _____

ADDRESS: _____

TYPE OF WORK: REPLACE OR LINE PRIVATE SEWER SERVICE

TOTAL ELIGIBLE COSTS: \$ _____

CONTRACTOR _____

Required Documentation Attached: (check all that apply)

Certificate of I/I Compliance (Sump Pump & Foundation Drain Connections).

Copies of all Invoices and/or Receipts for eligible costs.

Contractor Certification of Payment (Below)

OWNER DISCLAIMER

I X _____ Grant recipient in the Private Sewer Service program to improve the premises located at: _____

in the City of Cloquet, hereby certify that all equipment, materials and/or services described in the Application for said project grant have been delivered, installed and performed in accordance with the terms of said grant application. I accept that any costs for future improvements and maintenance are my responsibility upon the completion of the work project.

X _____
(Signature of Applicant)

DATE: _____

CONTRACTOR DISCLAIMER

I X _____ Contractor for the Private Sewer Service program to improve the premises located at: _____

in the City of Cloquet, hereby acknowledge upon receipt of the sum of \$ _____, documented in the attached invoice(s), this amount is full and final payment for all labor, skill and material furnished or to be furnished to the above described real property. I further waive all rights to seek additional compensation, or record a mechanic's lien against any real property of the City of Cloquet for the amount paid.

X _____
(Signature of Contractor)

DATE: _____

For City of Cloquet Staff Only

BUILDING OFFICIAL CERTIFICATION

I Matt Munter Building Official for the City of Cloquet hereby certify that all required building inspections associated with the Private Sewer Grant Program to improve the premises located at _____ have been completed and found in compliance with Minnesota Building Code.

X _____
(Signature of Building Official)

DATE: _____

STREET DEPARTMENT CERTIFICATION (if required)

On behalf of the City of Cloquet Public Works Department, I hereby certify that all excavations of City owned ROW associated with the Private Sewer Grant Program to improve the premises located at _____ have been restored and found in compliance City Standards.

X _____
(Signature of Inspector)

DATE: _____

RECOMMENDATION FOR RELEASE OF FUNDS

I Caleb Peterson Public Works Director for the City of Cloquet have reviewed this Application for Payment and found it to be in compliance with City Policy. I am hereby recommend payment be released to the owner in the amount of \$ _____

X _____
(Signature of Public Works Director)

DATE: _____