

Via Teleconference
6:00 P.M. May 4, 2021

Regular Meeting

Roll Call

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

Councilors Absent: None

Pledge of Allegiance

AGENDA

MOTION: Councilor Swanson moved and Councilor Carlson seconded the motion to approve the May 4, 2021 agenda. The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Lamb moved and Councilor Wilkinson seconded the motion to approve the Regular Meeting minutes of April 20, 2021 as presented. The motion carried (7-0).

PUBLIC COMMENTS

There were none.

CONSENT AGENDA

MOTION: Councilor Jaakola moved and Councilor Lamb seconded the motion to adopt the Consent Agenda of May 4, 2021, approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 21-25 Authorizing the Payment of Bills and Payroll
- b. Approval of New On-Sale Liquor License – Pedro’s Grill & Cantina

PUBLIC HEARINGS

There were none.

PRESENTATIONS

There were none.

YEAR END TRANSFERS FOR 2020

MOTION: Councilor Kolodge moved and Councilor Carlson seconded the motion to authorize the transfers for 2020 as detailed in the April 19, 2021 staff report. The motion carried unanimously (7-0).

APPROVAL OF PINE VALLEY SINGLE TRACK MOUNTAIN BYPASS TRAIL

MOTION: Councilor Jaakola moved and Councilor seconded the motion to accept the proposal from Trail Logic to construct a winter bypass of the ski jump single track trail. The motion carried unanimously (7-0).

AWARDING 2021 SPRING LAKE RESERVOIR BID

MOTION: Councilor Wilkinson moved and Councilor Swanson seconded the motion to adopt **RESOLUTION NO. 21-26, A RESOLUTION AWARDING 2021 SPRING LAKE RESERVOIR BID**. The motion carried unanimously (7-0).

WHEREAS, The City has completed plans and specifications for the rehabilitation of the round Spring Lake Reservoir and

WHEREAS, The Council authorized staff to solicit bids on April 6, 2021 and

WHEREAS, The City of Cloquet received the following bids for the project:

#	Bidder	Base	Alternate A	Total Bid
1	The Boldt Company	\$81,122.15	\$5,786.00	\$86,908.15
2	Magney Construction, Inc.	\$152,590.00	\$14,830.00	\$167,420.00
3	Lakehead Constructors, Inc.	\$207,710.00	\$13,000.00	\$220,710.00
4				

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

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the bid from The Boldt Company in the amount of \$86,908.15 is hereby accepted.

PUBLIC WORKS POSITION APPOINTMENT

MOTION: Councilor Kolodge moved and Councilor Jaakola seconded the motion to approve the probationary appointment of Mark Skramstad to the position of Street Department Supervisor. The motion carried unanimously (7-0).

ORDINANCE CREATING AN ADMINISTRATIVE OFFENSE FOR THE SALE OF DOGS AND CATS BY A RETAIL ESTABLISHMENT – SECOND READING

MOTION: Councilor Lamb moved and Councilor Carlson seconded the motion to approve **ORDINANCE NO. 495A, CREATING AN ADMINISTRATIVE OFFENSE FOR THE SALE OF DOGS AND CATS BY A RETAIL ESTABLISHMENT**. The motion carried unanimously (7-0).

Section 1. City Code Amendment. That the Cloquet City Code, be amended by adding a new Section 8.7 to Chapter 8, to read as follows:

Section 8.7: Sale of Dogs and Cats by Retail Establishment

8.7.01. Background. A significant number of puppies and kittens sold at pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for. The documented abuses endemic to mass breeding facilities include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; lack of adequate exercise; no or limited screening of genetic diseases; inadequate transportation and shipping protocols of puppies and kittens; and indiscriminate disposal of breeding dogs and cats who have reached the end of their profitable breeding cycle.

The inhumane conditions in mass breeding facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet stores due to both a lack of education on the issue and misleading tactics of pet stores in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers.

Current Federal and State regulations do not properly address the sale of dogs and cats in pet stores. Due in large part to pet overpopulation, numerous dogs and cats are euthanized. Restricting the retail sale of puppies and kittens is likely to increase demand from animal shelters and rescue organizations, which will likely reduce the burden on such agencies and reduce financial costs on local taxpayers.

Across the country, thousands of independent pet stores as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of commercially bred dogs or cats. Many of these stores collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises.

This Ordinance will not affect consumers' ability to obtain a dog or cat of their choice directly from an animal shelter, or breed-specific rescue organization, or from a breeder where the consumer can see directly the conditions in which the dogs or cats are bred or can confer directly with the breeder concerning those conditions.

The City Council for the City of Cloquet believes it is in the best interests of the City of Cloquet to adopt reasonable regulations to reduce costs to the City and its residents, protect the citizens of the City who may purchase dogs or cats from a pet store or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the City.

8.7.02 Pet Stores

A. No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs.

B. Nothing in this section shall prohibit pet stores from collaborating with animal shelters, animal rescue organizations, and animal control authorities to offer space for such entities to showcase adoptable dogs and cats inside pet stores. Such animals shall not be younger than 8 weeks old.

C. A pet store shall post and maintain a Certificate of Source in a conspicuous place on or within three feet of each dog's or cat's kennel, cage, or enclosure.

1. A Certificate of Source shall be provided to the adopter of any dog or cat.
2. Certificate of Source records for each dog or cat shall be maintained by a pet store for at least one year from the last date that a dog or cat appeared in the store.
3. Pet stores shall make Certificates of Source immediately available for review upon the request of a peace officer or animal control authority, or a humane agent pursuant to Minnesota Statutes section 343.06 acting on behalf of the City.
4. Falsification of a Certificate of Source shall be deemed a violation of this section.

D. A violation of this section shall constitute an Administrative Offense under Chapter 15 of City Code and subject the Pet Store Operator to the to the procedures and penalties contained therein.

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

ORDINANCE NO. 496A, PROVIDING FOR THE REPEAL OF CLOQUET CITY ORDINANCE NUMBERS 465A, 472A AND SECTION 9.2 OF CITY CODE REQUIRING PROJECT LABOR AGREEMENTS – SECOND READING

City Administrator invited public comment regarding Ordinance No. 496A. Council action will be taken after hearing public comment. Statements were heard from the following individuals in favor of the PLA:

Craig Olson
 Mike Wilde
 Rachel Goodsky
 Kyle Bukovich
 Dan Olson
 Keith Musolf
 Ben Row
 Jack Carlson
 Brian Nelson
 Derek Peterson
 Andy Campeau
 Chad Tuura
 Taylor Kolb
 Eric Walburg
 Don Smith

Those that spoke against the PLAs:

Lee Anderson
 Adam Hanson

MOTION: Councilor Kolodge moved and Councilor Swanson seconded the motion to approve **ORDINANCE NO. 496A, PROVIDING FOR THE REPEAL OF CLOQUET CITY ORDINANCE NUMBERS 465A, 472A, AND SECTION 9.2 OF THE CLOQUET CITY CODE REQUIRING PROJECT LABOR AGREEMENTS.** The motion carried (4-3), Councilors Carlson Swanson, Jaakola opposed.

NOW THEREFORE, the Mayor and City Council of the City of Cloquet do hereby ordain as follow”

SECTION 1. REPEALER

That Ordinance 465A, 472A and the Section 9.2 of the City Code requiring project labor agreements on City project contracts are hereby repealed.

SECTION 2. EFFECTIVE DATE

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

LIQUOR LICENSE FEES

MOTION: Councilor Carlson moved and Councilor Lamb seconded the motion to reduce liquor license fees by 50% for the 2021-2022 license period. The motion carried unanimously (7-0).

COUNCIL COMMENTS, ANNOUNCEMENTS AND UPDATES

Councilor Wilkinson expressed appreciation for the quick response to removing recent racist vandalism throughout the City.

Councilor Swanson thanked the Mayor for taking part in Arbor Day events at the Cloquet Middle School.

Holly Hansen thanked the Parks Department for taking part in the community clean up day sponsored by Boldt Construction.

Councilor Lamb relayed event information for the May 5th National Day of Awareness for Missing and Murdered Native Women in Canal Park.

Councilor Kolodge requested more information on police calls to city parks to get a handle on vandalism, etc.

City Administrator Peterson stated that City Hall opened to the public May 3rd and staff has returned to the office full time.

ADJOURNMENT

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

Tim Peterson, City Administrator