

Council Chambers, Cloquet, Minnesota
7:00 P.M. March 6, 2018

Regular Meeting

Roll Call

Councilors Present: Bailey, Bjerkness, Kolodge, Langley, Maki, Rock, Mayor Hallback

Councilors Absent: None

Pledge of Allegiance

AGENDA

MOTION: Councilor Bailey moved and Councilor Rock seconded the motion to approve the March 6, 2018 agenda. The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Kolodge moved and Councilor Maki seconded the motion to approve the minutes of the Work Session and Regular Meeting of February 20, 2018. The motion carried unanimously (7-0).

CONSENT AGENDA

MOTION: Councilor Kolodge moved and Councilor Rock seconded the motion to amend the Consent Agenda by removing item *5b, Commission Appoint Policy* and item *5c, PLA Ordinance Amendment* from the Consent Agenda and add to Council Business as items *8b* and *8c*. The motion was carried unanimously (7-0).

- a. Resolution No. 18-12, Resolution Authorizing the Payment of Bills and Payroll
- b. 4th of July Fireworks – Pyrotechnic Display, Inc. Contract
- c. Approval of Raffle Permit – Knights of Columbus

PUBLIC HEARINGS

There were none.

PRESENTATIONS

There were none.

NORTHWOODS CREDIT UNION ARENA FACILITY ASSESSMENT PROPOSAL

MOTION: Councilor Bjerkness moved and Councilor Maki seconded the motion to authorize the proposal from SEH for a facility assessment for the Northwoods Credit Union Arena before committing to additional funding for the repair and upkeep of the arena. The motion carried unanimously (7-0).

COMMISSION APPOINTMENT POLICY

MOTION: Councilor Kolodge moved and Councilor Bjerkness seconded the approval of the Commission Appointment Policy with the removal of the last sentence in Item III(B)(3), *In the event of a stalemate after three rounds of voting on a specific Commission appointment, the Mayor shall have the authority to make the appointment.* The motion carried (5-2), Councilor Langley and Mayor Hallback opposed.

PLA ORDINANCE AMENDMENT

MOTION: Councilor Kolodge moved and Councilor Rock seconded the motion to approve the amendment of Chapter 9.2 of Cloquet City Code by approval of **ORDINANCE NO. 172A, AN ORDINANCE ADOPTING AND REQUIRING PROJECT LABOR AGREEMENTS WITHIN THE CITY OF CLOQUET.** The motion carried on (5-2), Councilors Bjerkness and Kolodge opposed.

Section 9.2 Project Labor Agreements

9.2.01 Policy. The City desires to advance or preserve its own proprietary interest in a Project where it acts as an owner, investor or developer. That interest is best served when construction of “Covered Projects” proceed in a timely, cost-effective manner with the

highest degree of quality and with minimal delays and disruptions. City contracts should be performed with the highest degree of safety for workers and the public, and in a manner, that provides meaningful training and employment opportunities for residents. Throughout the state and country, public and private construction owners regularly utilize and require project labor agreements for billions of dollars' worth of construction each year. Project labor agreements that establish uniform terms and conditions of employment for the contractors and other parties working on a project have been shown to provide an effective mechanism for construction management because they allow project owners to:

- (1) Predict their labor costs and requirements and more accurately estimate actual total project costs;
- (2) Promote cost-efficient, timely and safe construction project delivery, by providing access to a reliable supply of properly trained and skilled construction craft personnel for all aspects of the project;
- (3) Assure greater productivity and workmanship quality from construction craft personnel, thereby yielding high quality, cost-efficient projects, while also reducing maintenance and repair costs over the life of the project;
- (4) Integrate work schedules and standardize work rules for the project to provide a well-coordinated, efficiently functioning construction worksite that will minimize delays, promote quality, and maintain project safety; and,
- (5) Assure that construction will proceed without interruption from staffing shortages, high employee turnover, safety incidents, and labor disputes by providing reliable project staffing, contractual guarantees against work stoppages and mutually binding procedures for resolving disputes.

9.2.02 Project Labor Agreement Required. A project labor agreement, will be substantially in the form adopted by resolution of the Council from time to time and will be kept by the city administrator as a public document. It shall be required to be used on any Covered Project, as Covered Project is defined below, which involves a project with a total City investment of \$175,000 or more. Any project labor agreement entered into by the City shall be made binding on all contractors and subcontractors working on the Covered Project. The City shall implement the project labor agreement by requiring adherence to the agreement in the bid specifications and in all relevant bid documents. No contractor shall be required to be or become a party to a collective bargaining agreement on any other construction project in order to qualify to work under a project labor agreement implemented for a particular city project.

Project Defined. "Project" shall mean the erection, destruction, demolition, painting, remodeling or repairing of any building, highway, sidewalk, bridge, water or gas line, sewer and sewage treatment facility or other similar work conducted within the City.

Covered Project Defined. "Covered Project" means that the City has a contract for construction services on a Project owned by the City with a total Project cost of \$175,000 or more, or the City has a proprietary interest because one or more of the following conditions are met:

- (1) The City makes a payment or grant of \$175,000 or more to assist the development of a Project.
- (2) The City guarantees loan payments, lease payments or contract for deed payments of \$175,000 or more to assist the development of a Project.
- (3) The City receives ongoing revenue from a Project to repay loans provided by the City to assist the development of said Project, including incremental tax revenues generated by the Project and used directly or indirectly, to repay the loan by the City where the proceeds of the loan are used for development of that Project and the amount of the loan is \$175,000 or more.
- (4) The City receives ongoing revenue from a Project to pay debt service on bonds provided by the City to assist in the development of said Project, including incremental tax revenues generated by the Project and used, directly or indirectly, to pay debt service on bonds by the City where the proceeds of the bonds issued are used for development of the Project and the amount of the bonds are \$175,000 or more.

- (5) That the City otherwise has assets at risk equal to or in excess of \$175,000 because it has agreed to underwrite or guarantee the development of a Project.

EFFECTIVE DATE.

Subdivision 1: This Ordinance shall be in full force and in effect from and after its passage, approval, recording and publication as provided by law.

PUBLIC COMMENTS

There were none.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

Councilor Langley acknowledged the Police Department on doing a good job.

CLOSED SESSION

Mayor Hallback announced that the City Council will now adjourn into a Closed Meeting as permitted under M.S. 13D.05, Subd. 2(a)(2) for the purpose of discussing internal affairs data relating to allegations of law enforcement personnel misconduct. Mayor Hallback announced the time is 7:16 p.m.

Mayor Hallback reopened the Regular Meeting at 7:53 p.m.

MOTION: Councilor Bailey moved and Councilor Rock seconded the motion to deny the appeal of the Citizens Advisory Board. The motion carried (5-2), Councilors Kolodge and Maki opposed.

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

Aaron Reeves, City Administrator