

Cloquet Council Chambers
5:30 P.M. January 18, 2022

5:30 Work Session

Danielle DeVito from the Minnesota Department of Agriculture gave a presentation on the spread Gypsy Moths in our area and the proposed management which includes two eradication sprays in early June.

6:00 Regular Meeting

Roll Call

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

Councilors Absent: Swanson

Pledge of Allegiance

AGENDA

MOTION: Councilor Lamb moved and Councilor Jaakola seconded the motion to approve the January 18, 2022 agenda. The motion carried unanimously (6-0).

MINUTES

MOTION: Councilor Wilkinson moved and Councilor Carlson seconded the motion to approve the Regular Meeting minutes of January 4, 2022 as presented. The motion carried unanimously (6-0).

PUBLIC COMMENTS

There were none.

CONSENT AGENDA

MOTION: Councilor Jaakola moved and Councilor Kolodge seconded the motion to adopt the Consent Agenda of January 18, 2022, approving the necessary motions and resolutions. The motion carried unanimously (6-0).

- a. Resolution No. 22-03, Authorizing the Payment of Bills
- b. Resolution No. 22-05, Approving the Vacation of Ash Street Lying North of St. Louis Avenue
- c. Approval of New License to Sell Tobacco and Tobacco Products – Edwards Oil, Inc.
- d. Approval of Raffle Permit – Knights of Columbus Council 5132

PUBLIC HEARINGS

There were none.

PRESENTATIONS

There were none.

APPOINTMENT OF CAFD BOARD MEMBER

MOTION: Councilor Kolodge moved and Councilor Lamb seconded the motion to appoint Douglas Wolf to the Cloquet Area Fire District Board, filling a vacancy with a term expiring December 31, 2023. The motion carried unanimously (6-0).

ORDERING THE DEMOLITION OF A PUBLIC NUISANCE AND HAZARDOUS STRUCTURE

MOTION: Councilor Lamb moved and Councilor Wilkinson seconded the motion to approve **RESOLUTION NO. 22-04, ORDERING THE REMOVAL OF A PUBLIC NUISANCE AND HAZARDOUS ACCESSORY STRUCTURE AT 203 AVENUE D, CLOQUET, MN.** The motion carried unanimously (6-0).

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 that an accessory structure on the property located at 203 Avenue D, Cloquet, MN (PIN 06-045-4740), owned by Renee Keene (herein OWNER), to be a hazardous condition for the following reasons:

1. The City Building Official issued an Order to Repair or Remove Hazardous Conditions related to an accessory structure on June 10, 2021 providing 75 days to repair or remove the hazard. This Order further outlined the issues with the accessory structure/garage as mentioned in the June 8, 2021 structural report of TKDA which was also provided to OWNER. The Order to Repair states “the north wall of the garage is not plumb as a result of the northwest foundation corner of the garage support having washed away and shifting the accessory structure.” These structural issues are partially due to the failing retaining wall with the property to the north.
2. A deadline reminder letter was sent to OWNER on August 5, 2021 along with the June 10, 2021 Order to Repair and attachments including the TKDA report of June 8 2021.
3. A follow up letter was sent to OWNER on September 20, 2021 acknowledging OWNER’s response on September 15, 2021 stating a friend will remove the hazardous accessory structure/garage by October 31, 2021. To date, the structure/garage remains on the property, has not been repaired, and no building permits have been issued for future work.

WHEREAS, the conditions listed above, which are more fully documented in the Order to Repair prepared by Building Official Matt Munter on June 10, 2021, a copy of which is attached hereto as Exhibit A, which conditions have further deteriorated to date, make clear that due to neglect and deterioration, the accessory structure/garage located on the property at 203 Avenue D constitutes a hazard to public health and safety, and is therefore declared to be a Public Nuisance and Hazardous Accessory Structure; and

WHEREAS, the legal description for 203 Avenue D is as follows:

**That part of Block 39, City of Cloquet, described as follows:
Commencing at the Southeasterly corner of Block 39, thence Westerly along the Southerly line of Block 39 distance 34.0 feet to the ACTUAL point of beginning; thence continuing Westerly along said Southerly block line distance 42.6 feet; thence Northerly and parallel with the Easterly line of Block 39 distance 99.2 feet; thence Easterly and parallel with the Southerly line of Block 39 distance 44.3 feet; thence Southerly to the ACTUAL point of beginning; Carlton County, Minnesota.**

WHEREAS, the owner of record of said property is Renee Keene.

WHEREAS, OWNER has failed to comply with the June 10, 2021 Order to Repair or Remove Hazardous Conditions related to an accessory structure; and

WHEREAS, the City may proceed with demolition of the hazardous accessory structure/garage through a court order, or by signed Consent from OWNER, pursuant to Minn. Stat. § 463.151, allowing City to perform any demolition and cleanup that is necessary, to remove the Public Nuisance and Hazardous Accessory Structure, and to charge any costs thereby incurred by the City as a special assessment against the property, payable in up to five equal annual installments at 8% per annum, or payable in a single installment if proceeding by court order; and

WHEREAS, bids for demolition and cleanup of the accessory structure which constitutes a Public Nuisance and Hazardous Accessory Structure at 203 Avenue D have been received in amounts ranging from \$6,300 to \$8,842.50.

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

1. That pursuant to the foregoing findings, incorporated herein and made a part hereof, and in accordance with Cloquet City Code § 7.1.07, and Minn. Stat. § 463.15 to § 463.25 (as appropriate), the Council orders the demolition and cleanup of the structurally

compromised accessory building at 203 Avenue D, which constitutes a Public Nuisance and Hazardous Accessory Structure, which cleanup shall be commenced by City or any of its designated agents as soon thereafter as is reasonably possible, according to the OWNER's Consent to Enter Property for Removal of Public Nuisance and Hazardous Accessory Structure or by court order.

2. That in accordance with Minn. Stat. § 463.21 & § 463.24, when said Public Nuisance and Hazardous Accessory Structure 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.

3. That the Council approves a payment of up to \$8,842.50 in demolition and cleanup costs by the City which will be specially assessed against the property, along with administrative and legal costs and fees as required, which shall be collected in accordance with Minn. Stat. §§ 463.151, and 463.21, and shall be payable in up to five payments at 8% per annum interest. The Council further approves a no-fee demolition permit; however, a permit must be pulled by the contractor hired by the City with inspections to be conducted by the City.

4. That the City Administrator, City Attorney and Mayor are hereby authorized to proceed with the preparation and execution of all documents and the taking of all actions necessary for enforcement of this Resolution/Order, including proceeding by court action or obtaining a Consent to Enter Property for Removal of Public Nuisance and Hazardous Accessory Structure from the OWNER.

AGREEMENT FOR PEDESTRIAN BRIDGE SCOPING STUDY

MOTION: Councilor Wilkinson moved and Councilor Jaakola seconded the motion to enter into an agreement with S.E.H. for project scoping associated with the proposed pedestrian river bridge improvement. The motion carried unanimously (6-0).

SOLICITATION OF BIDS FOR 2022 PAVEMENT MANAGEMENT PROJECT

MOTION: Councilor Carlson moved and Councilor Lamb seconded the motion to approve **RESOLUTION NO. 22-06, APPROVING THE SOLICITATION OF BIDS FOR 2022 PAVEMENT MANAGEMENT PROJECT.** The motion carried unanimously (6-0).

WHEREAS, The City has identified maintaining its street infrastructure is a priority; and

WHEREAS, The Streets contained in the proposed 2022 Pavement Management Project are in need of maintenance; and

WHEREAS, Mill and Overlay / Reclaim has been determined to be the best maintenance strategy to preserve the pavement and extend the service life of the pavement; and

WHEREAS, it is most cost effective to complete all other ancillary concrete repairs along with the pavement repair; and

WHEREAS, The City now wishes to proceed with these improvements.

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

1. Such plans and specifications are hereby approved.
2. The City Engineer is hereby authorized to advertise and solicit bids for such Improvements.

PARKING RESTRICTIONS ON 22ND STREET FROM CLOQUET AVE TO CARLTON AVE

MOTION: Councilor lamb moved and Councilor Wilkinson seconded the motion to approve **RESOLUTION NO. 22-07, RELATING TO PARKING RESTRICTIONS ON 22ND STREET FROM CLOQUET AVENUE TO CARLTON AVENUE.** The motion carried unanimously (6-0).

WHEREAS, The City has planned the improvement of 22nd Street, State Aid Route No. 113 from Cloquet Avenue to Carlton Avenue and

WHEREAS, The City is expending Municipal State Aid Funds on the improvement of this street; and

WHEREAS, this improvement does not provide for adequate width for parking on both sides of the street and approval of the proposed construction as a Municipal State Aid Street Project must therefore be conditioned upon certain parking restrictions;

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

That the City shall allow no parking of motor vehicles on 22nd Street from Cloquet Avenue to Carlton Avenue.

SOLICITATION OF BIDS FOR THE LAWRENCE ROAD WATER EXTENSION

MOTION: Councilor Jaakola moved and Councilor Carlson seconded the motion to approve **RESOLUTION NO. 22-08, A RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS FOR THE LAWRENCE ROAD WATER EXTENSION**. The motion carried unanimously (6-0).

1. **WHEREAS**, the City of Cloquet has prepared plans and specifications for the extension of watermain along Lawrence Road connecting two existing dead-end legs in the system and;
2. **WHEREAS**, this project has been included in the current Capital Improvement Plan and 2022 Budget and;
3. **WHEREAS**, the watermain loop will alleviate problematic operational pressure spikes being observed in the existing system;

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

Such improvement is hereby ordered and the City Engineer is hereby authorized to solicit bids for construction.

RESCHEDULE FEBRUARY 1, 2022 CITY COUNCIL MEETING

The February 1, 2022 regular meeting of the Cloquet City Council will be rescheduled for February 2, 2022 due to state caucuses being held that day.

VIRTUAL MEETINGS AND FACE COVERING MANDATE DISCUSSION

MOTION: Councilor Jaakola moved and Councilor Lamb seconded the approval of a 30-day extension of the Mayor's proclamation declaring a local emergency requiring face coverings and virtual meetings, expiring February 18, 2022. The motion carried (4-2), Councilors Carlson and Kolodge opposed.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

City Administrator Peterson stated the next two council meetings will be held as previous virtual meetings were, meeting links and call-in numbers will be emailed to Councilors, included on the meeting agendas and posted on the city's website.

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