

Cloquet Council Chambers
6:00 P.M. November 15, 2022

Roll Call

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

Councilors Absent: None

Pledge of Allegiance

AGENDA

MOTION: Councilor Lamb moved and Councilor Wilkinson seconded the motion to approve the November 15, 2022 agenda. The motion carried unanimously (6-0).

MINUTES

MOTION: Councilor Jaakola moved and Councilor Carlson seconded the motion to approve the Regular Meeting minutes of November 1, 2022 as presented. The motion carried unanimously (6-0).

PUBLIC COMMENTS

Mark Vandervort, 441 10th Street, requested the City require landlords to have a permit and rental property inspections. There is concern of deteriorating neighborhoods and public safety due to landlords and tenants who do not rent responsibly. Issues he has had with a neighboring rental include garbage, drug activity and multiple police calls.

Richard Colson, 510 Carlton Avenue, addressed council regarding the continuous break-ins and items stolen from his property. The police have been called several times and charges are not being pressed. Continued police calls to Carlton Lofts. No oversight and the problems are escalating. The city attorney is not pressing charges and Council needs to do something.

CONSENT AGENDA

MOTION: Councilor Kolodge moved and Councilor Lamb seconded the motion to adopt the amended Consent Agenda of November 15, 2022, moving item 6.b, *Resolution No. 22-83, Adopting and Confirming Special Assessments for Delinquent Utilities*, to Council Business as item 9.j.; and correcting item 6.e, *Resolution No. 22-80, Approving the Quit Claim Deed of Taylor Avenue Lying West of the Center Line of 7th Avenue* by changing 7th Avenue to 7th Street, approving the necessary motions and resolutions. The motion carried unanimously (6-0).

- a. Resolution No. 22-78, Authorizing the Payment of Bills
- b. Accept Liability Coverage Tort Waiver
- c. Resolution No. 22-79, Approving Sand and Gravel Excavation Permit Renewals for 2023
- d. Resolution No. 22-80, Approving the Quit Claim Deed of Taylor Avenue Lying West of the Centerline of 7th Street to Pru Properties, LLC
- e. Approve Santa's Home for the Holidays Celebration Requests
- f. Approve New Therapeutic Massage Therapist License – T. Smith

PUBLIC HEARINGS

There were none.

PRESENTATIONS

Mayor's Proclamation – Small Business Saturday

CERTIFYING 2022 MUNICIPAL GENERAL ELECTION CANVASS

MOTION: Councilor Wilkinson moved and Councilor Jaakola seconded the motion to approve **RESOLUTION NO. 22-84, CERTIFYING 2022 MUNICIPAL GENERAL ELECTION CANVASS**. The motion carried unanimously (6-0).

WHEREAS, The City of Cloquet held its General Election on November 8, 2022; and

WHEREAS, Minnesota Statute 205.185, Subd. 3, requires that the City canvass the results of the election between the third and tenth day after a general election; and

WHEREAS, The Council met on November 15, 2022, as a canvassing board to review the results of the election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City Council declare the results of election as identified on the following canvassing list and authorize the City Administrator to notify Carlton County of the results of said canvass.

Total Votes Cast

For Mayor:	David Bjerkness.....	2194
	Roger Maki.....	2312
	Write In.....	12
For Councilor Ward 1:	Erik J. Blessener	479
	Warren “Bun” Carlson.....	551
	Write In.....	5
For Councilor Ward 2:	Sheila Lamb.....	647
	Write In.....	10
For Councilor Ward 3:	Chris Swanson	602
	Write In.....	108
Sales Tax Request Pine Valley	Yes.....	2806
	No	1883
Sales Tax Request Ice Arena	Yes.....	2368
	No	2317

APPOINT ARROWHEAD REGIONAL DEVELOPMENT COMMISSION REPRESENTATIVE

MOTION: Councilor Carlson moved and Councilor Lamb seconded the motion to reappoint Mayor Maki as representative of the City of Cloquet to the Arrowhead Regional Development Commission (ARDC). The motion carried unanimously (6-0).

PURCHASE OF LAKE SUPERIOR WATERLINE VALVES

MOTION: Councilor Lamb moved and Councilor Jaakola seconded the motion to authorize the purchase of four 16-inch isolation valves from Ferguson Waterworks in the estimated amount of \$17,600. The motion carried unanimously (6-0).

ENGINEERING DEPARTMENT TRUCK PURCHASE

MOTION: Councilor Kolodge moved and Councilor Wilkinson seconded the motion to authorize the purchase of one Dodge RAM 1500 from Dodge of Burnsville, not to exceed the amount of \$40,000. The motion carried unanimously (6-0).

PUBLIC WORKS TRUCK PURCHASE

MOTION: Councilor Jaakola moved and Councilor Lamb seconded the motion to authorize the purchase of one Ford F250 from Midway Ford, not to exceed the amount of \$56,000. The motion carried unanimously (6-0).

METTNER FIELD

MOTION: Councilor Lamb moved and Councilor Jaakola seconded the motion to approve the Mettner Field advertising agreement. The motion carried unanimously (6-0).

SKB CONDITIONAL USE PERMIT AMENDMENT

MOTION: Councilor Kolodge moved and Councilor Wilkinson seconded the motion to table **RESOLUTION NO. 22-81, A RESOLUTION APPROVING THE CONDITIONAL USE PERMIT AMENDMENT FOR SKB ENVIRONMENTAL CLOQUET LANDFILL FOR EXPANDED HOURS IN THE HI-HEAVY INDUSTRY**

DISTRICT until the vacancy for Ward 3 Councilor has been filled and there is a full council. The motion carried unanimously (6-0).

WHEREAS, an Application has been submitted by Shamrock Landfill to amend their existing Conditional Use Permit, which was approved on February 15, 2011, and amended on November 5, 2014. The amendment request is pursuant to 17.2.06 of the City Code, for the 59-acre Industrial Landfill to modify their hours of operation to allow 24 hours a day, seven days a week solely for the SRFI material transported with SKB trucks and direct employees, with the hours between 7am – 5pm, Monday – Saturday open to anyone; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and all neighbors within 1320 feet were notified. A public hearing was held to consider the Application at the regular meeting of the Cloquet Planning Commission on October 11, 2022, at which time Zoning Case / Development Review No. 22-13 was heard and discussed; and

WHEREAS, the property of the proposed Conditional Use Permit Amendment is located at 761 Highway 45 and is legally described as follows:

That part of the West 390.00 feet of the Northwest Quarter of the Southeast Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota, which lies southerly of Interstate Highway 35 and northerly of the South 100.00 feet of said Northwest Quarter of the Southeast Quarter.

AND ALSO

That part of the South 100.00 feet of the North Half of the Southeast Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota, which lies westerly of the right-of-way of the Great Northern Railway (now known as Burlington Northern Santa Fe Railroad).

AND ALSO

That part of the East 600.00 feet of the Northeast Quarter of the Southwest Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota, which lies southerly of Interstate Highway 35.

AND ALSO

The east 600.00 feet of the Southeast Quarter of the Southwest Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota.

AND ALSO

The South Half of Southeast Quarter lying West of Great Northern Railway Company's right-of-way (now known as Burlington Northern Santa Fe Railroad), Section 25, Township 49, Range 17, according to the United States Government Survey thereof. EXCEPT those two parcels lying within the following described tracts;

1. Beginning at a point on the south line of said Section 25, distant 100 feet west of the southeast corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ thereof; thence run northeasterly at an angle of 68 degrees 00 minutes with said south line for 475 feet; thence deflect to the left at an angle of 112 degrees 00 minutes for 500 feet; thence deflect to the left at an angle of 68 degrees 00 minutes for 475 feet; thence deflect to the left at an angle of 112 degrees 00 minutes for 500 feet to the beginning.
2. From a point on the south line of said Section 25 distant of 100 feet west of the southeast corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, thereof, run northeasterly at an angle of 68 degrees 00 minutes with said south section line for 475 feet to the point of beginning; thence continue northeasterly along the above described course to its intersection with a line run parallel with and distant 660 feet north of the south line of said Section 25; thence run west along said 660 foot parallel line to its intersection with a line run parallel with and distant 992 feet west of the east line of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 25; thence run south along said 992 foot parallel line to the south line of said Section 25; thence run east along said section line for 392 feet; thence deflect to the left 68 degrees 00 minutes for 475 feet; thence deflect to the right 68 degrees for 500 feet to the point of beginning.

WHEREAS, the Cloquet Planning Commission reviewed the Application to Amend the Conditional Use Permit for SKB Environmental Cloquet Landfill to modify their hours of operation to allow 24 hours a day, seven days a week solely for the SRFI material and coal ash being transported by individuals trained as a MPCA Licensed Landfill Operator, with the hours between 7am – 5pm, Monday – Saturday open to anyone per Section 17.2.06 Subdivisions 3 and 4 of the Cloquet Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA: that the City Council approves Zoning Case 22-13 for an amendment to the Conditional Use Permit to modify their hours of operation to allow 24 hours a day, seven days a week solely for the SRFI material and coal ash being transported by individuals trained as a MPCA Licensed Landfill Operator, with the hours between 7am – 5pm, Monday – Saturday open to anyone for SKB Environmental/Shamrock Landfill subject to the following conditions:

1. The hours of operation shall be amended to allow 24 hours a day, seven days a week solely for the SRFI material and coal ash being transported by individuals trained as a MPCA Licensed Landfill Operator, with the hours between 7am – 5pm, Monday – Saturday open to anyone.
2. No heavy equipment (bulldozer, front end loader and that type of equipment) shall be operated on site between the hours of 5:00 PM and 7:00 AM. and on Sunday.
3. The request shall be reviewed in one year to see how the amendment is working.

APPROVING THE COMPREHENSIVE PLAN AMENDMENT

Staff suggests the City Council review proposed **RESOLUTION NO. 22-82, A RESOLUTION APPROVING THE COMPREHENSIVE PLAN AMENDMENT (LAND USE PLAN) FROM “PLANNED MIXED RESIDENTIAL” TO “CITY CENTER”** for GCL DEVELOPMENT GROUP, LLC; and **ORDINANCE NO. 502A, AN ORDINANCE TO AMEND CHAPTER 17 BY AMENDING THE ZONING MAP OF THE CITY OF CLOQUET FROM “R3-MULTIPLE FAMILY RESIDENCE” TO “CC-CITY CENTER”**. Council action to be taken at the December 6, 2022 City Council meeting.

Resolution No. 22-82

WHEREAS, GCL Development Group LLC is proposing a Comprehensive Plan Amendment (Land Use Plan) from “Planned Mixed Residential” to “City Center”; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Knot. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on November 9, 2022, at which time Zoning Case / Development Review No. 22-16 was heard and discussed; and

WHEREAS, the property of the proposed Comprehensive Plan Amendment (Land Use Plan) is located 1417 Avenue C and the vacant lot to the west and is legally described as follows:

Lots 4 and 5, Block 1, Northwest Paper Company Addition, Carlton County, Minnesota

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the Comprehensive Plan Amendment (Land Use Plan).

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves of Zoning Case 22-16 for a comprehensive plan amendment (land use plan) from “Planned Mixed Residential” to “City Center”.

Ordinance No. 502A

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 R3 – Multiple-Family Residence to CC – City Center:

Lots 4 and 5, Block 1, Northwest Paper Company Addition, 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.

CULTURAL RIVERFRONT PLACEMAKING SIGNAGE REQUEST FOR PROPOSALS

Staff requests feedback from the City Council on the draft Request for Proposals for Cloquet’s Cultural Riverfront Placemaking Signage Project that will be released from November 17, 2022 through January 6, 2023. No action is needed.

ADOPTING AND CONFIRMING SPECIAL ASSESSMENTS FOR DELINQUENT UTILITIES

MOTION: Councilor Wilkinson moved and Councilor Carlson seconded the motion to adopt **RESOLUTION NO. 22-83, ADOPTING AND CONFIRMING SPECIAL ASSESSMENTS FOR DELINQUENT UTILITIES AND MISCELLANEOUS BILLS.** The motion carried unanimously (6-0).

WHEREAS, The amount to be assessed for delinquent utilities has been calculated in accordance with the provisions of City ordinances and Minnesota Statutes; and

WHEREAS, Notices have been duly mailed as required by law; and

WHEREAS, Said proposed assessments have at all times since their filing been open for public inspections, and an opportunity has been given to all interested parties to present objections, if any, to the proposed assessments; and

WHEREAS, There were no oral or written objections received.

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

1. The amounts so calculated and set forth in said notices are hereby levied against the respective parcels of land described therein; and
2. The proposed assessments are hereby adopted and confirmed as special assessments for each of said parcels of land and the assessments shall be a lien concurrent with general taxes upon said parcel.

BE IT FURTHER RESOLVED, That the City Administrator be authorized and directed to transmit to the County Auditor a certified duplicate of the assessment roll to be extended upon the property tax lists of the County and the County Auditor shall collect said special assessments with taxes levied in 2022, payable in 2023.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

Councilor Lamb thanks fellow councilors and staff for the condolences received for their family's recent loss and also recognized the recent loss of FDLTCC's president, Stephanie Hammit.

Councilor Kolodge voiced his agreement with the concerns over problem rental properties and acknowledged the issue is a decades old problem. Kolodge is in favor of a discussion on code changes and rental licensing. Administrator Peterson stated the EDA has brought this up in the past and it is on their radar.

Councilor Wilkinson stated she is in favor of revisiting past rental property conversations. Mayor Maki agreed.

Community Development Director Hansen was informed today that the city has received a \$483,649 grant to replace the streetlights in the west end business district. She thanked USG for partnering with the EDA to work on this project and also public works who installed the Historic West End sign. Hansen noted that funding from Artists on Mainstreet funding was used to create flag banners for the district.

Administrator Peterson stated The Truth in Taxation public hearing will take place at the December 6, 2022 City Council meeting.

Peterson suggested to Councilors to wait until the December 6th meeting to decide how to proceed with the Ward 3 vacancy. His recommendation is to appoint someone to fill the vacancy until the 2024 election which at that time can include a special election for this seat. The other option is to hold a special election prior to 2024. Peterson stated that less than 100 people voted out of the 1,300 registered Ward 3 voters in the last special election in 2020.

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