



**CITY OF CLOQUET  
City Council Agenda  
Tuesday, June 20, 2017  
7:00 p.m.  
City Hall Council Chambers**

**CITY COUNCIL WORK SESSION**

**\*PLEASE NOTE:  
THERE WILL BE NO WORK SESSION**

1. **Roll Call.**
2. **Pledge of Allegiance.**
3. **Approval of Agenda.**
  - a. Approval of June 20, 2017 Council Agenda
4. **Approval of Council Minutes.**
  - a. Work Session Minutes from the June 6, 2017 meeting
  - b. Regular Council Minutes from the June 6, 2017 meeting
  - c. Special Meeting Minutes from the June 13, 2017 meeting
5. **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. 17-57, Authorizing the Payment of Bills
  - b. Resolution No. 17-56, Adopting and Confirming Special Assessments for Delinquent Utilities and Miscellaneous Bills
  - c. Labor Day Celebration Activities
6. **Public Hearings.**

None.
7. **Presentations.**

None.



**CITY OF CLOQUET**  
**City Council Agenda**  
**Tuesday, June 20, 2017**  
**7:00 p.m.**  
**City Hall Council Chambers**

**8. Council Business.**

- a. Resolution No. 17-58, A Resolution Approving the Variance from the Subdivision Code to Subdivide Property by Means Other Than Platting For Thomas Montgomery
- b. Resolution No. 17-60, A Resolution Authorizing the Purchase of Electrical Equipment from Povolny Specialties, Entering Into an Agreement with Minnesota Power, and Entering Into an Agreement with Parsons Electric
- c. Authorization to Request Donations for National Night Out
- d. LOU Between Local #545 and the City of Cloquet and Authorization to Hire Temporary Administrative Police Secretary

**9. Public Comments.**

*Please give your name, address, and your concern or comments. Visitors may share their concerns with the City Council on any issue, which is not already on the agenda. Each person will have 3 minutes to speak. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. All comments will be taken under advisement by the Council. No action will be taken at this time.*

**10. Council Comments, Announcements, and Updates.**

**12. Adjournment.**

**Cloquet City Council Work Session**

Tuesday, June 6, 2017

**Present:** A. Bailey, D. Bjerckness, K. Kolodge, S. Langely, R. Maki, J. Rock, Mayor Hallback

**Absent:** None

**Staff:** J. Barclay, H. Hansen, A. Cottingham, C. Peterson, J. Anderson

**Other:** Brian Larson, MnDOT, J. Lund, Pine Journal, B. Atkins

**MnDOT Safety Improvements**

- Brian Larson of MnDot was present to give a briefing on the project at the intersection of Highway 33/I-35. The 2005-2015 crash history shows this section is above the critical rate in crashes. The main issue seems to be the left hand turn from the Frontage Road.
- Mr. Larson reviewed the six safety concepts and their impacts. The recommendation is to construct a round-about.
- Discussion of round-abouts and problems they can sometimes create. Mr. Larson stated the roundabout will slow traffic and maintain access to the different legs of that intersection and accommodate semi traffic. He also noted that the environmental impacts are minor.
- Councilor Rock questioned the slope coming up to the round-about from I-35 and if that will be an issue. Mr. Larson answered this will not be an issue. Grades, speeds, etc. can be addressed during the design portion of the project.
- The first step of the project is to hold a public meeting and then it will go out for bids in November 2017.

**Crematories**

- At the request of Council from the May 16<sup>th</sup> Work Session, Mr. Cottingham presented more information regarding crematories and emissions. After searching the Department of Health in several states for emissions information, Georgia Department of Health was the only information found, and it was with very minimal statistics. Mr. Cottingham also noted the state licensure for a crematory is very vague.
- Cloquet's current zoning only allows crematories in the heavy industrial districts. The Planning Commission has discussed amending the zoning ordinance to allow into light industry and residential. The Council would like to hold a public hearing on the issue before making any decisions.
- Mr. Cottingham noted that the Atkins Funeral Home could request to rezone their district to neighborhood/commercial, but this may cause an issue in the future if they close their business. Council does not agree to a text amendment without a public hearing with the neighbors if Mr. Atkins decides to pursue the zoning change.

### **Temporary Signs**

- Staff is looking for Council feedback on the increasing number of temporary signs around town for non-profit organizations, garage sales, restaurants and sporting event. Signs are being placed on the Pinehurst Park fence, the Hwy 33/Cloquet Avenue corner, which is a MnDOT right of way, and various locations around town where there's a large amount of traffic.
- There is no formal policy for temporary signs but non-profit organizations have been allowed to place their banners on the fence at Pinehurst.
- Garage sale signs are prohibited. Council agrees that the Police Department and Public Works will continue to remove the signs unless on private property with permission given by the owner. Community events and non-profit signs and banners are appropriate for the Pinehurst Park fence. The MnDOT right of way is strictly prohibited (Cloquet Avenue and Hwy 33 corner).

### **Future Work Session**

- Let Mr. Barclay know of any items for future Work Session agendas.

There being no further business, the meeting adjourned at 6:50 p.m.

Respectfully submitted,

James Barclay  
Interim City Administrator

Regular Meeting

**DRAFT**

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 June 6, 2017 agenda. The motion carried unanimously (7-0).**MINUTES****MOTION:** Councilor Rock moved and Councilor Maki seconded the motion to approve the minutes of the Work Session and Regular Meeting of May 16, 2017. The motion carried unanimously (7-0).**CONSENT AGENDA****MOTION:** Councilor Bjerkness moved and Councilor Langley seconded the motion to adopt the consent agenda of June 6, 2017 approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 17-54, Authorizing the Payment of Bills and Payroll
- b. Renewal of 2017-2018 Liquor and Related Business Licenses
- c. Approval of Optional 2AM License Renewal - Moose Lodge 1274
- d. Peddlers, Solicitors & Transient Merchant License – Generous Jerry’s Fireworks
- e. Resolution No. 17-50, VFW Post 3979 Bingo at Veterans Park
- f. Resolution No. 17-53, New Lawful Gambling Premise Permit - R.E.A.C.H.
- g. Resolution No. 17-55, Queen of Peace Raffle and Bingo Permit

**PUBLIC HEARINGS**

There were none.

**PRESENTATIONS**

There were none.

**CLOQUET BUSINESS AND COMMUNITY MARKETING STRATEGY FINAL REPORT****MOTION:** Councilor Bailey moved and Councilor Kolodge seconded the motion to accept the final Cloquet Business and Community Marketing Strategy Final Report. The motion carried unanimously (7-0).**YEAR END TRANSFERS FOR 2016****MOTION:** Councilor Rock moved and Councilor Maki seconded the motion to authorize the transfers for 2016 as detailed in the May 23, 2017 staff report. The motion carried unanimously (7-0).**4<sup>TH</sup> OF JULY PARADE AND RELATED CELEBRATION ACTIVITIES****MOTION:** Councilor Kolodge moved and Councilor Rock seconded the motion to approve the following items: recognize the Event Committee as a City Committee coordinating the event; closure of Industrial Avenue, 9:30 a.m. to 12:00 p.m. and Cloquet Avenue from 8th to 22nd Street from 11:00 a.m. to 12:00 p.m. on Monday, July 4, 2017 for the parade and Old Main Street from 7:00 a.m. to 3:00 p.m. for a car show; and a contract with Stipes Carnival for the carnival in the Best Oil parking lot next to Veterans Park. The motion carried unanimously (7-0).

**BEER SALES AT VETERANS PARK ON JULY 4<sup>TH</sup>**

**MOTION:** Councilor Kolodge moved and Councilor Langley seconded the motion to authorize Carmen's to sell beer through their existing on-sale liquor license within Veteran's Park on July 4, 2017 as part of the community event and celebration following the conditions identified by the Council. The motion carried unanimously (7-0).

**PUBLIC COMMENTS**

- Gerald Manthey, Cloquet, addressed the Council as neighborhood spokesperson, in opposition of the possibility of Atkins Funeral Home adding a crematory onto their facility. A crematory will create a biohazard in the residential area due to the emissions.
- Roderick Alstead, Teamsters Executive Director, spoke on behalf of Local 346 and others, thanking the Council for recognizing the citizens' concerns by hiring a 3<sup>rd</sup> party investigator to lead the investigation of Chief Steve Stracek.
- Jeff Oveson, Teamsters Business Agent, thanked the Mayor and Council for making difficult decisions on behalf of the community.

**COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES**

There were none.

**CLOSED MEETING**

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.

**MOTION:** Councilor Rock moved and Councilor Bjerkness seconded the motion to close the meeting. The motion carried unanimously (7-0).

Mayor Hallback announced the time is 7:21 p.m. and the Council will now go into Closed Session in the Council Chambers.

**MOTION:** Councilor Bailey moved and Councilor Bjerkness seconded the motion to recess the closed meeting. The motion carried unanimously (7-0). The time is 9:05 p.m.

Mayor Hallback entertained a motion to reconvene the closed session at 11:21 p.m.

**MOTION:** Councilor Bjerkness moved and Councilor Kolodge seconded the motion to reconvene the closed session. The motion carried unanimously (7-0).

**MOTION:** Councilor Langley moved and Councilor Bailey seconded the motion to recess the closed meeting. The motion carried unanimously (7-0). The time is 11:45 p.m.

Mayor Hallback entertained a motion to reconvene the closed session at 12:24 a.m.

**MOTION:** Councilor Rock moved and Councilor Bailey seconded the motion to reconvene the closed session. The motion carried unanimously (7-0).

**MOTION:** Councilor Bailey moved and Councilor Bjerkness seconded the motion to recess the closed meeting. The motion carried unanimously (7-0). The time is 12:40 a.m.

Mayor Hallback entertained a motion to reconvene the closed session at 12:48 a.m.

**MOTION:** Councilor Bailey moved and Councilor Langley seconded the motion to reconvene the closed session. The motion carried unanimously (7-0).

**MOTION:** Councilor Langley moved and Councilor Bailey seconded the motion to recess the closed meeting. The motion carried unanimously (7-0). The time is 1:05 a.m.

Mayor Hallback entertained a motion to reconvene the closed session at a.m. at 1:12 a.m.

**MOTION:** Councilor Bailey moved and Councilor Kolodge seconded the motion to reconvene the closed session. The motion carried unanimously (7-0).

**MOTION:** Councilor Langley moved and Councilor Bjerkness seconded the motion to recess the closed meeting. The motion carried unanimously (7-0). The time is 2:03 a.m.

Mayor Hallback entertained a motion to reopen the Regular Meeting at 2:35 a.m.

**MOTION:** Councilor Kolodge moved and Councilor Bjerkness seconded the motion to reopen the Regular Meeting. The motion carried unanimously (7-0).

**MOTION:** Councilor Bailey moved and Councilor Bjerkness seconded the motion to approve the Separation and Release Agreement Between City of Cloquet and Steve Stracek. The motion carried unanimously (7-0).

### **COUNCIL COMMENTS**

Councilor Bailey read the Article I, II, and III of the Separation and Release Agreement Between the City of Cloquet and Steve Stracek.

#### **Article 1. Allegations Not Substantiated and Exonerated**

The City finds and concludes that the allegations in the following are not substantiated: letter from Teamsters General Local Union No. 346, dated March 16, 2017; Internal/Citizen Complaint procedure submitted by Jeff Overson, dated March 28, 2017; and Investigation Report submitted by Michelle Soldo, dated May 11, 2017. The City also finds and concludes that the findings and recommendations included in Interim City Administrator James Barclay's letter to Steve Stracek, dated May 19, 2017, are not substantiated and are rejected. The City affirms that Steve Stracek is exonerated of all such allegations. The City will not take any further action on the allegations. The City Council will verbally state this Article before the City Council approves this Agreement.

#### **Article 2. Reinstatement**

Steve Stracek is reinstated to active duty as Police Chief, effective June 7, 2017.

#### **Article 3. Retirement**

Steve Stracek voluntarily retires from employment with the City, effective June 8, 2017, which will be his last date of employment with the City.

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

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James Barclay, Interim City Administrator

Special Meeting

 **DRAFT**

Roll Call

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

Councilors Absent: Rock

**AGENDA**

City Administrator search update, confidential semi-finalist report and distribution of candidate materials.

**MOTION:** Councilor Bailey moved and Councilor Kolodge seconded the motion to approve the June 13, 2017 agenda. The motion carried unanimously (6-0).

Sharon Klump of Springsted-Waters Executive Recruitment, provided the semi-finalist report and distributed candidate materials for Council review. Ms. Klump provided further direction for the next step of the search process.

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

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James Barclay, Interim City Administrator





## ADMINISTRATIVE OFFICES

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email: [admin@ci.cloquet.mn.us](mailto:admin@ci.cloquet.mn.us)  
[www.ci.cloquet.mn.us](http://www.ci.cloquet.mn.us)

### REQUEST FOR COUNCIL ACTION

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To: Mayor and City Council  
From: Nancy Klassen, Finance Director *NK*  
Reviewed by: James Barclay, Interim City Administrator *JBC*  
Date: June 6, 2017

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**ITEM DESCRIPTION:** Certification of Utility Bills and Miscellaneous Bills

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#### **Proposed Action**

Staff recommends the City Council move to adopt **RESOLUTION NO. 17-56, ADOPTING AND CONFIRMING SPECIAL ASSESSMENTS FOR DELINQUENT UTILITIES AND MISCELLANEOUS BILLS.**

#### **Background/Overview**

Minnesota Statute section 444.075, subd. 3 (e) allows municipal water utilities to certify unpaid water, sewer, storm water and other property charges to the county auditor for collection with property taxes. The certification can be done once a year or more often. The City is certifying semi-annually in 2017.

#### **Policy Objectives**

The use of this statutory collection method allows the City to enhance revenue collection. The ability to capture these monies has a direct correlation to the City's operating budget.

#### **Financial/Budget/Grant Considerations**

Collection of delinquent utility bills and miscellaneous property charges through the 2018 property tax statements. See attached listing for amount certified.

#### **Advisory Committee/Commission Action**

Not applicable.

#### **Supporting Documentation Attached**

- Resolution 17-56.
- Listing of delinquent bills to be certified to Carlton County.

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

**RESOLUTION NO. 17-56**

**RESOLUTION ADOPTING AND CONFIRMING SPECIAL ASSESSMENTS  
FOR DELINQUENT UTILITIES**

**WHEREAS,** The amount to be specially 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 2017, payable in 2018.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET  
THIS 20TH DAY OF JUNE, 2017.**

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Dave Hallback, Mayor

ATTEST:

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James Barclay, Interim City Administrator

STATE OF MINNESOTA )  
COUNTY OF CARLTON )  
CITY OF CLOQUET )

I, James Barclay, Interim City Administrator of the City of Cloquet, Minnesota, pursuant to Chapter 364 of the Laws of Minnesota for 1909, and Amendments thereto, and pursuant to resolution of the City Council of the City of Cloquet, passed June 20, 2017,

HEREBY CERTIFY, That there is remaining in my office unpaid and for collection the following Utility Bills and Miscellaneous Bills for the 2018 Real Estate Tax payments, against the following lots and tracts of land in the following amounts to-wit:

<u>Parcel ID</u>	<u>Property Address</u>	<u>Account Number</u>	<u>Bill Amount</u>	<u>Collection Fee</u>	<u>Total Certified</u>
06-510-2470	206 Sunset Drive	0112004750-02	25.21	25.00	50.21
06-345-0960	323 10th Street	0122013800-06	31.80	25.00	56.80
06-611-0020	1412 16th Street	0115024350-00	166.89	25.00	191.89
06-070-0900	421 17th Street	0117012700-01	11.55	25.00	36.55
06-210-0360	2104 Carlton Ave	0119015000-09	351.42	25.00	376.42
06-290-1180	136 9th Street	0121004900-04	18.30	25.00	43.30
06-375-0840	807 Prospect Ave W	0113016200-06	62.15	25.00	87.15
06-110-1640	117 17th Street	0118011100-08	79.69	25.00	104.69
06-185-0600	1702 Ave C	0118018100-03	49.62	25.00	74.62
06-280-0060	410 7th Street	0124004100-18	43.77	25.00	68.77
06-033-0240	419 10th Street	0122010300-05	36.36	25.00	61.36
06-200-0220	326 2nd Street	0123004000-01	19.00	25.00	44.00
06-385-0360	914 White Ave	0123015300-24	140.59	25.00	165.59
06-210-0360	2104 Carlton Ave	0119015000-10	159.29	25.00	184.29
06-260-0260	425 9th Street	0124000600-12	79.68	25.00	104.68
06-145-0660	325 8th Street	0124016300-03	23.67	25.00	48.67
06-145-0240	344 8th Street	0124016800-08	110.05	25.00	135.05
06-110-0160	22 14th Street	Invoice 11006	37.50	25.00	62.50
06-015-0600	728 Balsam Street	0114011200-04	707.26	25.00	732.26
06-340-0800	429 4th Street	0123010800-04	51.96	25.00	76.96
06-165-0060	2209 Selmsner Ave	0119015600-01	37.50	25.00	62.50
06-510-6110	1000 Tall Pine Lane	0126016570-00	63.21	25.00	88.21
			2,306.47	550.00	2,856.47
	Total		2,306.47	550.00	2,856.47



# CLOQUET

## ADMINISTRATIVE OFFICES

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## REQUEST FOR COUNCIL ACTION

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator *JB*  
Date: June 14, 2017

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**ITEM DESCRIPTION:** Labor Day Celebration

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### Proposed Action

Staff recommends that the City Council move to approve the closure of Cloquet Avenue for the parade, the closure of Avenue C and adjacent portions of 13th Street and 14th Street for the car show, the use of Pinehurst Park including the waiver of the park rental fee, and the closure of Pinehurst Park Drive for amusement activities for area youth, all consistent with previous Labor Day celebrations sponsored by the Central Labor Body.

### Background/Overview

Each year the Carlton County Central Labor Body works with local groups, including the Cloquet Area Fire District, on a celebration held each Labor Day. Enclosed, the City Council will find a request from the Labor Body again seeking approval to hold such an event this year.

The requests are consistent with previous years' Labor Day celebrations. For safety purposes, the closure of the north leg of Pinehurst Park Drive is necessary.

The Celebration is seeking the closing of Avenue C for the Car Show as it has in the past. It is also seeking closure of 13th and 14th Streets for brief periods of time, which the City has agreed to the past three years. There were no complaints received about the closure of these streets that staff can recall.

The parade will require the closure of Cloquet Avenue from 18th Street to 8th Street in the morning.

### Policy Objectives

The City adopted a policy in 2009 that requires a fee for the use of community parks and facilities. In this case, the use of Pinehurst Park is not being done as a profit source for the Labor Body. It has been considered a community event. In past years, the Council has agreed to waive the fee.

### Financial/Budget/Grant Considerations

By agreeing to the waiver in rental fee, the City would lose \$400.

### Advisory Committee/Commission Action

None.

### Supporting Documentation Attached

- June 12, 2017 letter from the Central Labor Body

## Carlton County Labor Day Celebration

1403 Avenue C, Cloquet, MN 55720

2017 Committee: Michael Parrott, Dianne Barkos, Tamara Jones, Katie Humphrey

June 12, 2017

To: Brian Fristinger, Cloquet City Administrator; Dave Halback, Mayor of Cloquet; and the Cloquet City Council.

Dear Council Members,

The 2017 Carlton County Labor Day Celebration committee is looking forward to holding its 98<sup>th</sup> annual Labor Day Celebration on Monday, September 4, 2017. As in past years, the celebration will include a parade, car show, carnival and a picnic. This event continues to be offered to the community free of charge due to generous donations from local labor unions and other local employers and groups. The committee requests Council approval and permission for the following:

1. Permission to hold the Labor Day parade and to have Cloquet Avenue closed in the morning (approximately 10:30am- 1:30pm. The set up and staging for the parade will again take place on Avenue C starting about 9:00am.
2. Permission to have Avenue C and adjacent portions of 13<sup>th</sup> street and 14<sup>th</sup> street closed to traffic from 9:00am – 2:00 pm in order to hold the car show in that area.
3. Permission to again use Pinehurst Park for the carnival on September 4 from noon – 5:00pm.
4. Permission to have the park fee waived as the Labor Day Celebration is free to the public.
5. To close the north leg of Pinehurst Park Drive so that carnival participants can safely access all of the carnival activities including a petting zoo, face painting, inflatable amusements, climbing wall, etc. We will again be powering the amusements with generators.

Thank you for your time and consideration. We look forward to another successful Labor day Celebration.

Michael Parrott, president, Carlton County Labor Day Celebration  
218 343-4663      mwparrott@local49.org



**COMMUNITY DEVELOPMENT DEPARTMENT**  
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## REQUEST FOR COUNCIL ACTION

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To: Mayor and City Council  
From: Al Cottingham, City Planner/Zoning Administrator  
Reviewed/Approved By: James Barclay, Interim City Administrator  
Date: June 14, 2017

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**ITEM DESCRIPTION:** Zoning Case 17-13: Subdivision Code Variance – To allow the creation of three lots by a means other than platting

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### Proposed Action

The Planning Commission recommends the City Council move to adopt **RESOLUTION NO. 17-58, A RESOLUTION APPROVING THE VARIANCE FROM THE SUBDIVISION CODE TO SUBDIVIDE PROPERTY BY MEANS OTHER THAN PLATTING FOR THOMAS MONTGOMERY.**

### Background/Overview

Thomas Montgomery is proposing a variance from the Subdivision Code. The Subdivision Code variance is to allow the creation of three lots by metes and bounds rather than by a plat. The property is located at 1520 Airport Road. Mr. Montgomery is proposing to subdivide his 10 acre parcel into three parcels with frontage on Airport Road.

With the exception of the Pinewood Addition located to the northeast of this property all other property in the area has been subdivided by metes and bounds rather than a plat. These parcels were all created when this area was part of Knife Falls Township.

The Subdivision Code allows a simple lot split resulting in no more than two (2) lots. A subdivision qualifies as a “Minor Subdivision” if it has a maximum of eight (8) lots and all lots will have frontage on an existing public road.

A public hearing was held on Tuesday, June 13, 2017 to consider a variance to allow subdivision by metes and bounds. A legal notice was published in the Pine Journal on June 1, 2017 and property owners within 350 feet were sent notices of the public hearing.

### Policy Objectives

The Subdivision Code states the City council may grant a variance from these regulations following a finding that all of the following conditions exist:

1. There are special circumstances or conditions affecting said property which were not created by the landowner.

To the Mayor and City Council  
Variance Subdivision code  
June 14, 2017  
Page 2

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

3. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

In making this finding the Council shall consider the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. In granting a variance as herein provided, the Council shall prescribe only conditions that it deems desirable or necessary to the public interest.

**Financial/Budget/Grant Considerations**

The filing fee for the variance is \$350.00. The applicant has paid that fee.

**Advisory Committee/Commission Action**

The Planning Commission discussed the subdivision of the property by means other than platting and felt this was a unique situation. The Planning Commission has recommended approval of the Variance on a 5-1 vote.

**Supporting Documentation Attached**

- Resolution 17-58
- Location Map
- Lot Drawing

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

**RESOLUTION NO. 17-58**

**A RESOLUTION APPROVING THE VARIANCE FROM THE SUBDIVISION CODE TO  
SUBDIVIDE PROPERTY BY MEANS OTHER THAN  
PLATTING FOR THOMAS MONTGOMERY**

**WHEREAS**, Thomas Montgomery is proposing a Variance from the Subdivision Code to subdivide property by means other than platting; and

**WHEREAS**, As required by ordinance, notification was advertised in the Pine Journal 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 June 13, 2017 at which time Zoning Case / Development Review No. 17-13 was heard and discussed; and

**WHEREAS**, the property of the proposed Variances is located at 1520 Airport Road and is legally described as follows:

The Northeast Quarter of the Northeast Quarter of the Northwest Quarter, Section 27, Township 49 North, Range 17 West, Carlton County, Minnesota, subject to MPL easement on Docket 243894. And,

**WHEREAS**, the Planning Commission reviewed the staff report and recommends approval of the Variance from the Subdivision Code to subdivide property by means other than platting.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA**, that it approves of Zoning Case 17-13 for a variance from the Subdivision Code to subdivide property by means other than platting for property located at 1520 Airport Road.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 20TH DAY OF JUNE 2017.**

\_\_\_\_\_  
Dave Hallback, Mayor

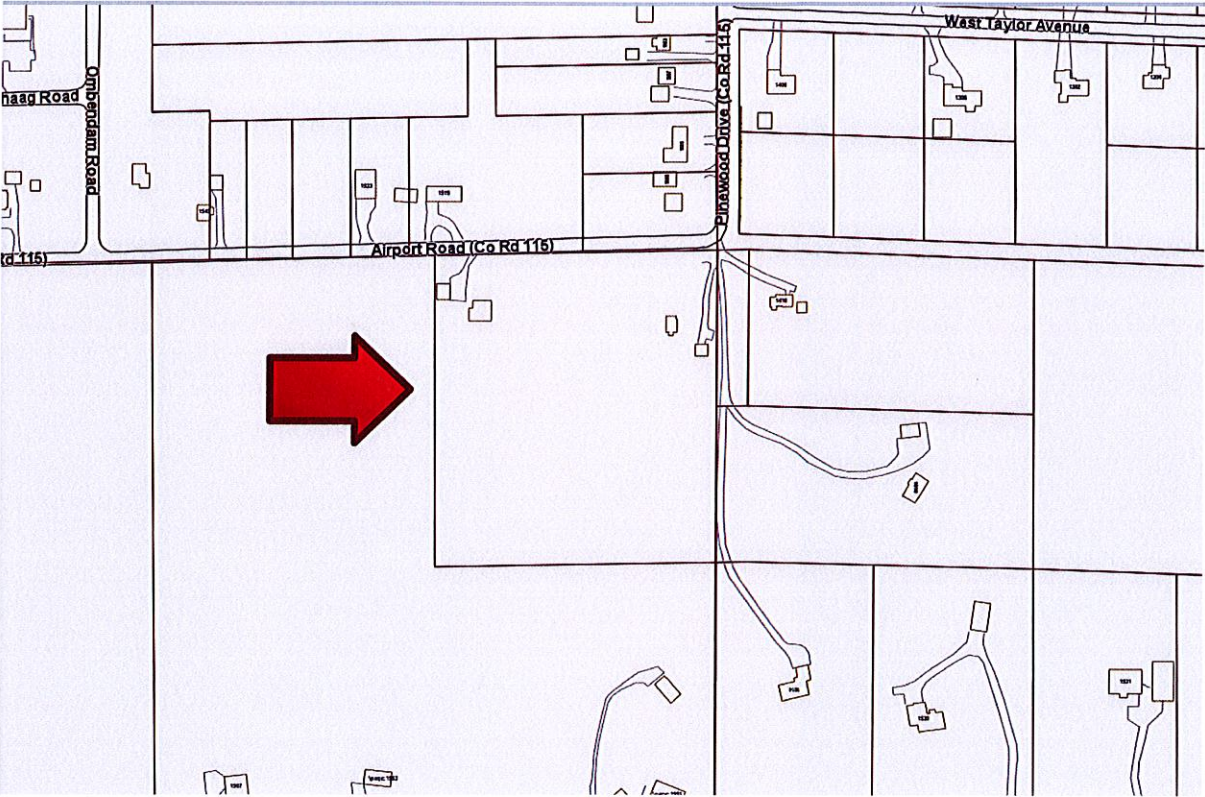
ATTEST:

\_\_\_\_\_  
James Barclay, Interim City Administrator

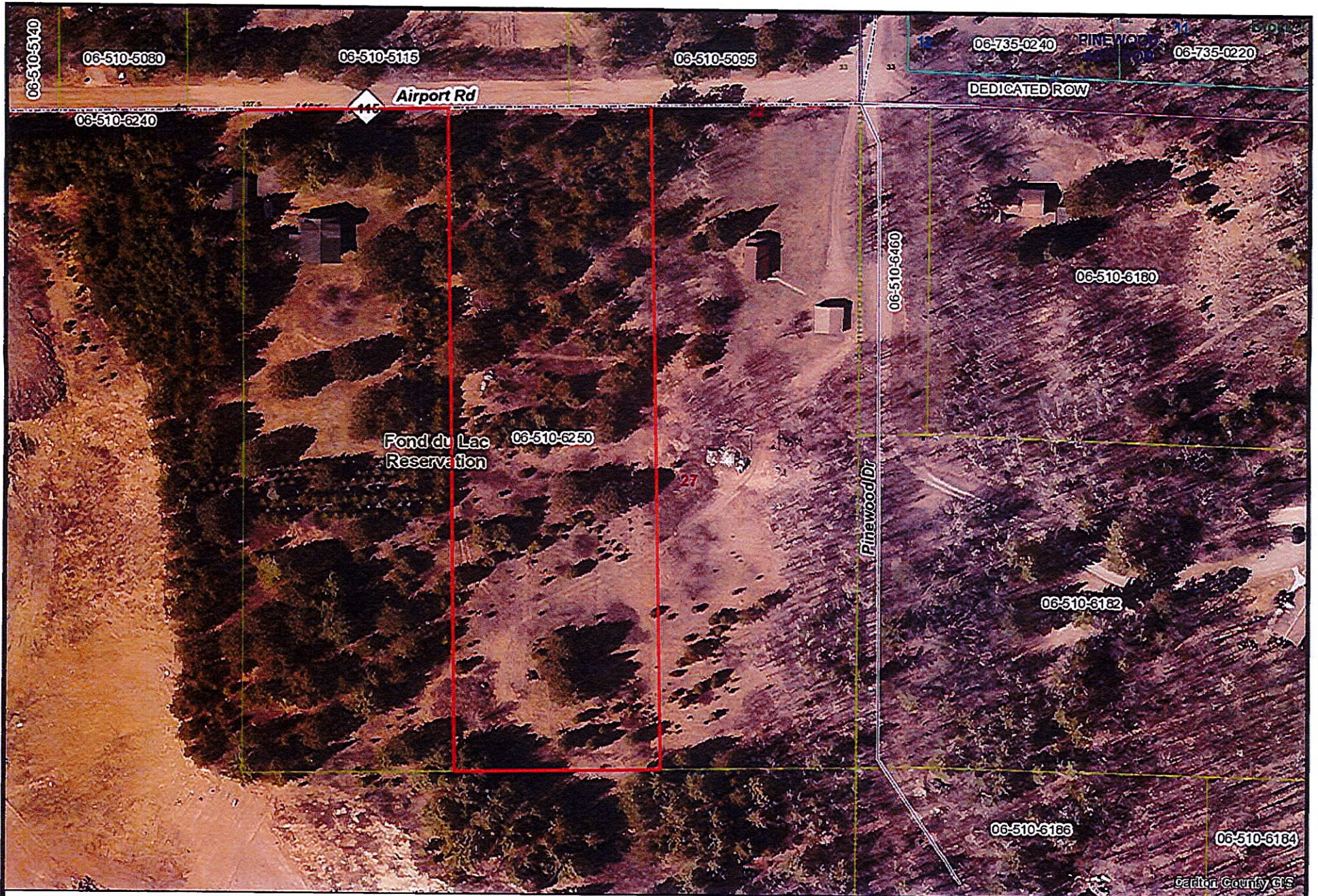


# Location Map

## Montgomery



**No Scale**

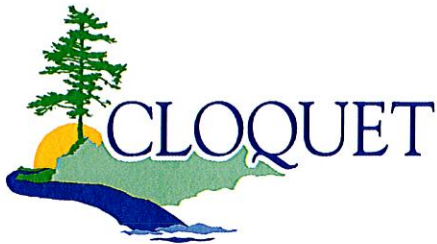


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**Carlton County, MN**

Date: 6/6/2017



**DEPARTMENT OF PUBLIC WORKS**

1307 Cloquet Avenue; Cloquet, MN 55720  
Phone: (218) 879-6758 Fax: (218) 879-6555  
Street - Water - Sewer – Engineering - Park  
www.ci.cloquet.mn.us

**REQUEST FOR COUNCIL ACTION**

To: Mayor and City Council  
From: Caleb Peterson, City Engineer  
Reviewed by: James Barclay, Interim City Administrator  
Date: June 20, 2017

**ITEM DESCRIPTION:** Veterans Park Three Phase Power Supply

**Proposed Action**

Staff recommends the City Council adopt **RESOLUTION 17-60, AUTHORIZING THE PURCHASE OF ELECTRICAL EQUIPMENT FROM POVOLNY SPECIALTIES, ENTERING INTO AN AGREEMENT WITH MINNESOTA POWER, AND ENTERING INTO AN AGREEMENT WITH PARSONS ELECTRIC.**

**Background/Overview**

The development of Veterans Park is wrapping up and we have been approached by the organizers of Wood City Music Festival to provide an additional power source specifically targeted to provide power to a music and lighting control. This music and lighting connection requires 3 phase power to be supplied at a control panel for this specific use. The Riverfront Task Force previously identified infrastructure upgrades to support community events at Veterans Park as a priority. At the time of the project bid, the Commission and Staff understood the ability to power the stage was included in the Veterans Park Project. Unfortunately, the stage supplier was not specific enough when asked about their needs to host such an event. The park development constructed under the previous contract did not include a 3 phase power source to supply this special purpose. The previous project included general power connection need for food vendors and other more common uses.

If the City Council would like to respond to this request, staff has collected quotes on the individual pieces involved to provide the power source requested. If this power source is to be in place in time for the 2017 Wood City Music Festival, we must move forward at this time.

**Policy Objectives**

N/A.

**Financial/Budget/Grant Considerations**

The cost for purchase of the equipment thru PoVolny Specialties is \$14,500. The installation of a power drop to a pad mounted transformer by Minnesota Power is \$10,189. Connecting the power supply to the cabinet by Parsons Electric is \$13,823. In total, the entire project with all three contracts totals \$38,500. This project was not specifically included in the 2017 budget. If the Council wishes to proceed with this work, it is possible it can be funded though Sales Tax monies.

<b>Project</b>	<b>Budget</b>	<b>Bid Price/Expenditure</b>
Veterans Park	\$990,000	\$1.315 million
Riverfront Improvements	\$4.13 million	\$3,795 million

To Mayor and Council  
Veterans Park 3 Phase Power Supply  
June 14, 2017  
Page 2

**Advisory Committee/Commission Action**

At the time of the project bid, the Commission and Staff understood the ability to power the stage was included in the Veterans Park Project.

**Supporting Documentation Attached**

- Resolution 17-60
- June 13, 2017 SEH Letter
- Kingdom Builders Letter

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

**RESOLUTION NO. 17-60**

**A RESOLUTION AUTHORIZING THE PURCHASE OF ELECTRICAL EQUIPMENT FROM  
POVOLNY SPECIALTIES, ENTERING INTO AN AGREEMENT WITH MINNESOTA  
POWER, AND ENTERING INTO AN AGREEMENT  
WITH PARSONS ELECTRIC**

**WHEREAS,** The City has received a request to provide three phase power in Veterans Park to power music and light panels;

**WHEREAS,** The Wood City Music Festival has been held in Cloquet for the last three years and plans to continue this event into the future;

**WHEREAS,** Installing a power source of this type allows for other music based events to be held at this location in the future;

**WHEREAS,** it is the City Council's intent to support and promote community events in our parks;

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA,** That the electrical equipment be procured through PolVolny Specialties in the amount of \$14,500, the power drop and pad mounted transformer be supplied by Minnesota Power for \$10,189, and the electrical installation be completed by Parsons Electric for \$13,823.

**BE IT FURTHER RESOLVED,** The City Engineer is hereby authorized to act as agent on behalf of the City of Cloquet.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 20<sup>th</sup>  
DAY OF JUNE, 2017.**

ATTEST:

\_\_\_\_\_  
Dave Hallback, Mayor

\_\_\_\_\_  
James Barclay, Interim City Administrator



Building a Better World  
for All of Us™

June 13, 2017

RE: Veteran's Park 3-Phase Power  
SEH No. CLOQU 138107 14.00

Caleb Peterson, PE  
City Engineer  
City of Cloquet  
1307 Cloquet Avenue  
Cloquet, MN 55720

Dear Mr. Peterson:

As requested by the City of Cloquet, SEH has assisted in securing quotes for adding 3-phase power at Veteran's Park. The park has had recent electrical improvements, but we understand that there has been a recent request that the City provide 3-phase power at the park in addition to single phase power. In general, the 3-phase power would accommodate the Wood City Music Festival and any other larger scale music festivals at the park.

This work would include modifications of the power service by Minnesota Power, purchasing of a new electrical distribution cabinet, and installation costs. The total expected cost would be approximately \$38,500. A summary of the quoted prices are as follows:

1. Splice into existing 3-phase primary underground cable, install 12-way primary 3-phase pedestal, install 75kVA 120/208V pad mount transformer: \$10,189 (Minnesota Power)
2. Direct purchase of a brown anodized aluminum 3-phase cabinet equipped with a meter socket, provisions for CT's, disconnect circuit breakers, and two company switches (100A and 200A): \$14,500 (Povolny Specialties)
3. Install conduit and wire from MN Power transformer to new 3-phase cabinet, pour concrete pad for cabinet, connect wiring, pour concrete pad for MN Power transformer: \$13,823.32 (Parsons Electric)

Please note that this is structured to include the City directly purchasing the cabinet to avoid tax and contractor markup. Additionally, please note that there is very little overlap in costs from the original work that was completed, and the installation of the 3-phase power capability is considered an addition to the recently constructed electrical infrastructure, not a replacement of newly installed items.

If you have any additional needs on this issue, please feel free to contact me directly at 218.279.3034 or [dhinzmann@sehinc.com](mailto:dhinzmann@sehinc.com).

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.

Dan Hinzmann, PE  
Project Manager

djh

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Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 418 West Superior Street, Suite 200, Duluth, MN 55802-1512  
SEH is 100% employee-owned | [sehinc.com](http://sehinc.com) | 218.279.3000 | 888.722.0547 | 888.908.8166 fax

City Councilmen,

The Wood City Music Festival has taken place for three consecutive years and has grown, not only in the number of attendees, but also in reputation among Musicians; local, regional, statewide and even across the nation. When we first began approaching agents we had a difficult time getting any attention. Now, after just three years time, we have agents knocking on the door and a waiting list of musicians from across the state to perform at the Wood City Music Festival. All glory to God.

Each year we have had to rent a large generator to supply the power needs of the stages "lights and production". While it is not a huge cost in the grand scheme of things it is a large enough cost that we would like to be rid of it as we do not charge admission for this event. If you have not been to one of the festivals you have missed a great day of safe and fun family entertainment. God has shown Himself in mighty ways on the day of the festival each year.

Myself and Lee Harris were invited into the planning process of Veterans Park and I recall at the very first meeting the group in attendance was asked what types of events were held at the park? The top events were mentioned and then the group was asked "What is the biggest event held in Veterans Park?". Lee and I held our tongues and very quickly the rest of the group unanimously responded "The music festival." During these planning meetings we were asked what the festivals needs were and we brought to attention the festivals biggest need then, and remains, is good power throughout the park. We were assured at the last planning meeting we were able to attend that the festivals needs had been considered during the entire process. We rested on this assurance.

Since the apparent completion of the park's electrical upgrades I have taken the opportunity to inquire of what was actually installed. It turns out there was a miscommunication with the contractor and production company. The North-West corner did not receive the necessary connections. There is plenty of power and proper connections for numerous food vendors but not the proper connections for sound and lights. I contacted our production company and Travis, from the production company, forwarded me what is needed in the NW corner cabinet to serve the production needs. Mr. Peterson ought to be able to supply you with the necessary documentation of those needs.

Kingdom Builders Ministries requests the City Council approve the necessary upgrade to the North-West corner of Veteran's Park to meet the needs of stage production as shown in the documentation.

Thank you for you time and consideration.

Brian D. Smith  
President  
Kingdom Builders Ministries




# CLOQUET POLICE DEPARTMENT

508 CLOQUET AVENUE  
CLOQUET, MINNESOTA 55720-1799  
*records@ci.cloquet.mn.us*

Phone 218-879-1247  
Fax 218-879-1190

## REQUEST FOR COUNCIL ACTION

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To: Mayor and City Council  
From: Jeffrey Palmer, Interim Chief of Police  
Reviewed by: James Barclay, Interim City Administrator   
Date: June 14, 2017

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**ITEM DESCRIPTION: Authorization to Request Donations for National Night Out**

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### Proposed Action

Staff recommends the City Council move to authorize the Police Department to contact area businesses and organizations to request and receive monetary and material donations to cover food, memorabilia, and equipment rental expenses for the National Night Out event scheduled for August 1, 2017.

### Background/Overview

National Night Out is an annual event that promotes police-community partnerships and makes our communities safer places to live. National Night Out enhances relationships between communities and law enforcement and builds collaboration and familiarity by bringing police and those they serve together under positive circumstances.

The Cloquet Police Department hosted our first ever local event in Veteran's Park on August 4, 2015. The event was a huge success with an estimated 400 people in attendance. Last year's event was equally as successful.

Crime prevention and educational brochures were distributed along with memorabilia and items for children. Yard games, bounce houses and other activities including a bike rodeo sponsored by a few of our bike officers were also offered to attendees utilizing bikes provided by the Carlton County Bike Fleet. Cloquet Police Department staff and their families grilled hamburgers and hot dogs and served root beer floats and other refreshment during the entire event.

WKLK Radio was present for the event and broadcasted live feeds to the community. The Cloquet Area Fire District had fire and ambulance rigs and personnel at the event, along with informational pamphlets and gifts for the kids. For the past two years area businesses offered donations of funds and materials for the event. Funds are necessary to purchase supplies to facilitate and promote the event.



To Mayor and Council  
National Night Out  
June 14, 2017  
Page 2

This year the police department would like to continue to build off the success of last year's event and work towards establishing an annual event that will spread citywide. There will be events at locations this year, with the main event taking place at Veteran's Park.

**Policy Objectives**

Police-Community relationship building is essential in order to succeed in public safety efforts. The National Night Out event serves as an annual opportunity to build these positive relationships and to achieve outcomes that are beneficial to both the police department and the community.

**Financial/Budget/Grant Considerations**

Financial and material donations will supplement expenses for this event.

**Advisory Committee/Commission Action**

None.

**Supporting Documentation Attached**

None.





# CLOQUET POLICE DEPARTMENT

508 CLOQUET AVENUE  
CLOQUET, MINNESOTA 55720-1799  
*records@ci.cloquet.mn.us*

Phone 218-879-1247  
Fax 218-879-1190

## REQUEST FOR COUNCIL ACTION

---

To: Mayor and City Council  
From: Jeffrey Palmer, Interim Chief of Police   
Reviewed by: James Barclay, Interim City Administrator   
Date: June 14, 2017

---

**ITEM DESCRIPTION:** LOU Between Local #545 and the City of Cloquet and Authorization to Hire Temporary Administrative Police Secretary

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### Proposed Action

Staff recommends that the City Council move to approve the attached Letter of Understanding (LOU) between the City of Cloquet and Local #545 and to authorize the hiring of a temporary individual to perform the duties of Administrative Police Secretary on an ongoing basis during a medical leave of absence.

### Background/Overview

The intent and purpose of this Letter of Understanding is to modify certain terms and conditions presently contained in the Collective Bargaining Agreement between the City Council of the City of Cloquet, Minnesota and the American Federation of State, County, Municipal Employees, which agreement covers the period effective January 1, 2015, through December 31, 2017.

The City has been informed that a full-time member of the Police Department staff will be required to take a temporary leave of absence to address certain medical/health conditions. The Union and City have previously discussed changes which would temporarily allow the City to hire a non-union, temporary employee for the continuation of service to the community and avoid the need to replace said employee.

### Policy Objectives

Under the Family Medical Leave Act (FMLA) an employee's job is protected for up to 12 weeks in any 12-month period for the medical condition of the employee or in some cases a family member. At the expiration of that 12-week period an employer may replace the employee by hiring their replacement. Hiring a temporary employee provides the avenue to preserve the absent employee's position if it exceeds 12 weeks.

### Financial/Budget/Grant Considerations

The cost to the City will be the hourly wage of the temporary, non-union employee is estimated at \$16-\$20 per hour.

### Advisory Committee/Commission Action

None.

### Supporting Documentation Attached

- Letter of Understanding

**LETTER OF UNDERSTANDING**  
**By and Between**  
**AFSCME LOCAL #545**  
**And**  
**THE CITY OF CLOQUET**

This Letter of Understanding (“LOU”) is made by and between City of Cloquet (“Employer”) and American Federation of State, County and Municipal Employees, Council No. 65, Local Number 545 (“Union”).

**Recitals**

WHEREAS, the Union is the exclusive representative for certain employees employed by Employer in the appropriate unit (“Bargaining Unit Employees”);

WHEREAS, the Employer and Union are parties to a labor contract for January 1, 2015 through December 31, 2017;

WHEREAS, a Bargaining Unit Employee in the position of Administrative Police Secretary will be taking a voluntary leave beginning 20 June 2017 for approximately 8 weeks (15 August 2017) from the position;

WHEREAS, the City may deem it necessary to retain another individual or individuals to perform on an ongoing basis during the leave of absence administrative functions that were solely performed by the Bargaining Unit Employee as part of the Administrative Police Secretary position;

WHEREAS, the Employer and Union desire in this circumstance to establish components related to the individual or individual(s) to be retained to perform these functions;

NOW, THEREFORE, all parties hereto agree as follows below.

**Agreement**

**Article 1. Individuals Retained**

**Section 1.** The City may, at its sole discretion: (1) attempt to hire an individual as a City employee who will perform administrative duties of the Administrative Police Secretary as necessary to keep the Police Department functioning during this short leave.

The City may accept assistance of Bargaining Unit Employees in identifying a qualified candidate to fill the temporary position.

**Section 2.** The provision of services under this LOU will not, during the term of this LOU or temporary extension of this temporary employment, render such individual or individuals eligible to be a Bargaining Unit Employee.

**Section 3.** In the event that the Bargaining Unit Employee does not return to work and the temporary part-time employee hired under this LOU subsequently fills the position on a permanent basis, such employee shall become Bargaining Unit eligible with a seniority date reverting back to the first date of hire.

**Article 2. Entire Understanding**

This LOU constitutes the entire understanding among the parties hereto. No representations, warranties, covenants, or inducements have been made to any party concerning this LOU, other than the representations, covenants, or inducements contained and memorialized in this LOU. This LOU supersedes all prior negotiations, oral and written understandings, policies and practices with respect thereto addressing the specific subject matter addressed in this LOU.

**Article 3. Limitations**

This LOU is intended for the sole and limited purpose specified herein. This LOU does not constitute or establish any waiver or admission of the Employer that the subject matter of this LOU is negotiable or that it is bound by terms of conditions of employment of predecessor employers, precedent, or past practice, or otherwise place any prohibition or limitation on any management right of the Employer except as otherwise prohibited or limited by the express terms of this LOU. The Employer expressly reserves the right to exercise all of its management rights without limitation, including the right to make any decision and implement any such decision related to these issues consistent with the law in its sole discretion.

**Article 4. Amendment or Modification**

This LOU or any of its terms may only be amended or modified by a written instrument that: (1) expressly states it is amending or modifying the LOU; and (2) is signed by or on behalf of all of the parties hereto or their successors in interest.

**Article 5. Voluntary Understanding of the Parties**

The parties hereto acknowledge and agree that this LOU is voluntarily entered into by all parties hereto as the result of arm's-length negotiations during which all such parties were represented.

**Article 6. Execution and Effective Date**

This LOU is executed and effective on the latest date affixed to the signatures below.

**Article 7. Expiration**

This LOU will expire and no longer be in force or effect, effective on the earlier of: (1) the date that the Bargaining Unit Employee on leave returns to work for the City; or (2) August 15, 2017. Effective on the expiration date of the LOU, components of items addressed in and related to Article 1 of this LOU in effect as of the calendar day immediately preceding the effective date of this LOU; including, but not limited to, practices, Labor Agreement language and other aids in

contract interpretation; will revert back to the status quo as of the calendar day immediately preceding the effective date of this LOU and treated as if this LOU were never negotiated nor entered into.

IN WITNESS WHEREOF, the parties hereto have made this LOU on the latest date affixed to the signatures on this page.

FOR THE EMPLOYER

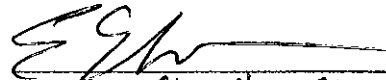
FOR THE UNION

\_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

\_\_\_\_\_  
City Administrator

Date: \_\_\_\_\_

  
\_\_\_\_\_  
~~President~~ Chapter Chair

Date: 6/15/17

  
\_\_\_\_\_  
Associate Director AFSCME Council 65

Date: 6/14/17