



**CITY OF CLOQUET  
City Council Agenda  
Tuesday, June 6, 2017  
7:00 p.m.  
City Hall Council Chambers**

**CITY COUNCIL WORK SESSION**

5:30 MnDOT Safety Improvements, Hwy 33/I-35 - Brian Larson,  
MnDOT District 1 Project Manager  
6:15 Crematories in Residential Districts Continued Discussion  
6:45 Temporary Signs

1. **Roll Call.**
2. **Pledge of Allegiance.**
3. **Approval of Agenda.**
  - a. Approval of June 6, 2017 Council Agenda
4. **Approval of Council Minutes.**
  - a. Work Session minutes from the May 16, 2017 meeting
  - b. Regular Council minutes from the May 16, 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. 17-54, Authorizing the Payment of Bills and Payroll
  - b. 2017-2018 Liquor and Related Business License Renewals
  - c. Optional Liquor 2AM License Renewal - Moose Lodge 1274
  - d. Peddlers, Solicitors & Transient Merchants 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 Application - R.E.A.C.H., Inc.
  - g. Resolution No. 17-55, Approval of Raffle Permit – Queen of Peach Parish
6. **Public Hearings.**

None.
7. **Presentations.**

None.



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**8. Council Business.**

- a. Cloquet Business and Community Marketing Strategy Final Report
- b. Year End Transfers for 2016
- c. 4<sup>th</sup> of July Celebration Activities
- d. Beer Sales at Veteran's Park on July 4<sup>th</sup>

**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.**

**11. Closed Meeting**

- a. The City Council may 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.

**12. Adjournment.**

# Intersection Characteristics

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## Existing Conditions

The TH 33 at I-35 Ramps intersection is currently a four-leg intersection with side-street stop control. The TH 33 north leg is a four-lane divided roadway with a posted speed limit of 55 mph. It should be noted that the north/south intersection median is atypically wide and causes many side-street thru and left-turn maneuvers to be completed in two stages. The Frontage Road west leg is a two-lane undivided roadway with a posted speed limit of 45 mph. The I-35 South Ramps comprise the south leg while the I-35 North Ramps comprise the east leg. Both TH 33 and I-35 are functionally classified as principal arterials. The area adjacent to the study intersection is comprised primarily of undeveloped wetlands/woodlands. Current intersection geometrics are listed in Table 1 and shown in Figure 2. Existing peak hour traffic volumes, also shown in Figure 2, were collected by SRF Consulting Group in September 2016.

**Table 1. Existing Conditions**

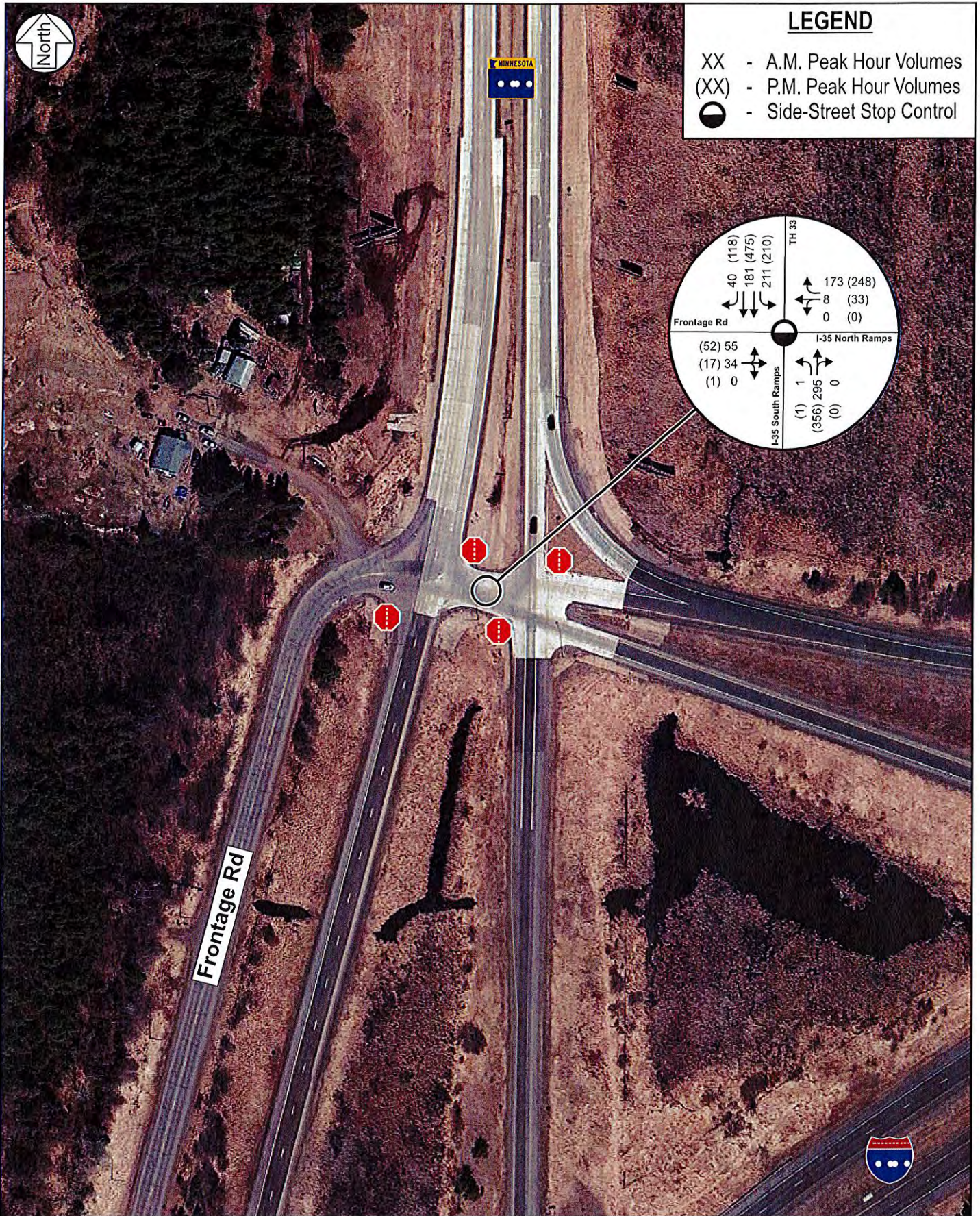
Approach	Lane Configurations
Southbound TH 33 (North Leg)	One left-turn lane, two thru lanes, and one right-turn lane
I-35 Northbound Off-ramp (South Leg)	One left-turn lane and one shared thru/right-turn lane
I-35 Southbound Off-ramp (East Leg)	One shared left-turn/thru lane and one channelized right-turn lane
Eastbound Frontage Road (West Leg)	One shared left-turn/thru/right-turn lane

## Crash History

Crash data was obtained from the MnDOT Crash Mapping Analysis Tool (MnCMAT) for a five year period from 2011 through 2015. Approximately 20 total crashes were reported during the analysis period at the TH 33 at I-35 Ramps intersection. The 20 intersection crashes are summarized as follows:

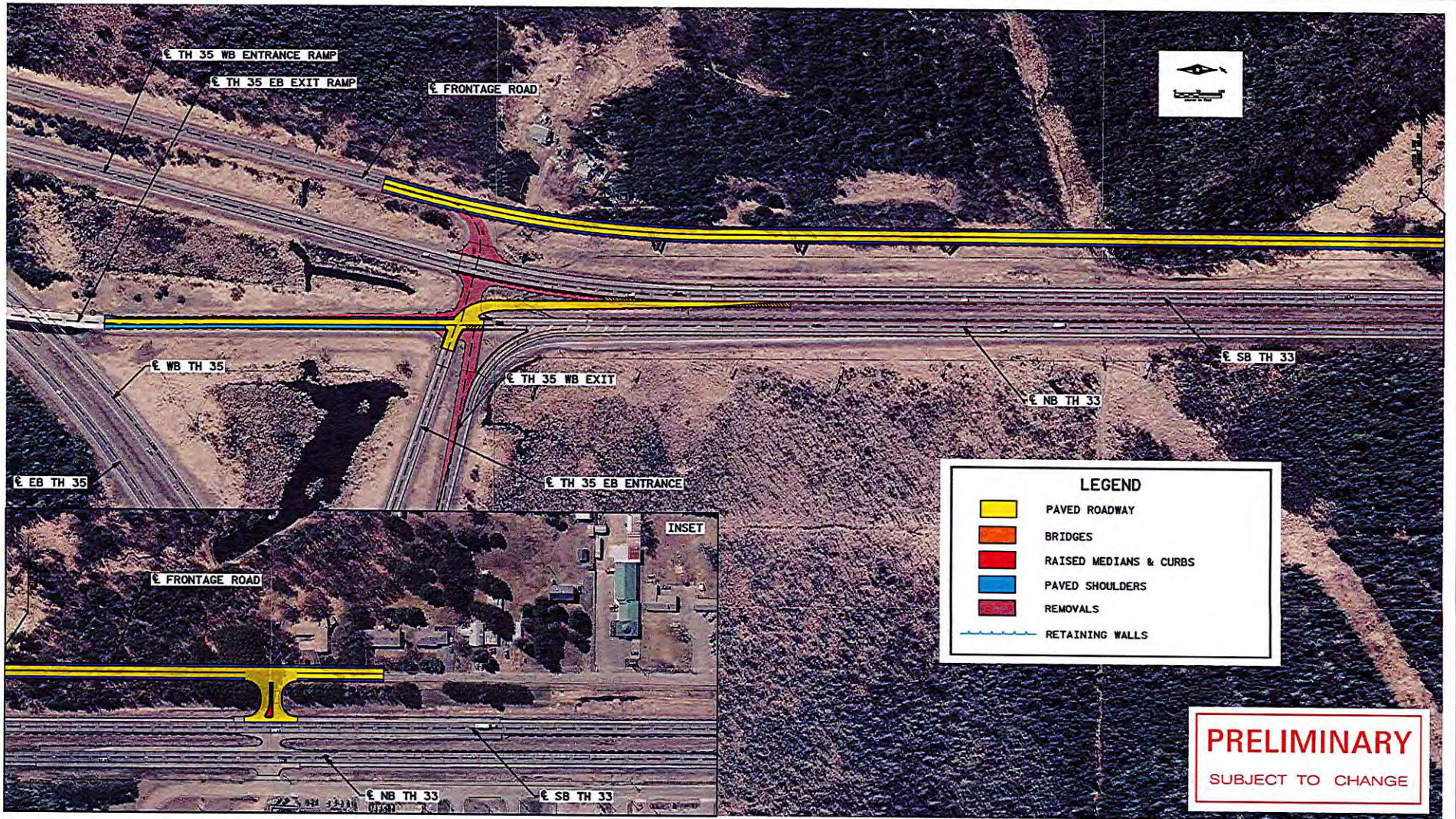
- Crash Severity:
  - 1 – Fatal (type K) crash
  - 1 – Incapacitating injury (type A) crash
  - 1 – Non-incapacitating injury (type B) crash
  - 9 – Possible injury (type C) crashes
  - 8 – Property damage only crashes
- Crash Type:
  - 13 – Right-angle crashes
  - 1 – Rear-end crash
  - 1 – Run-off-road crash
  - 5 – Other crashes



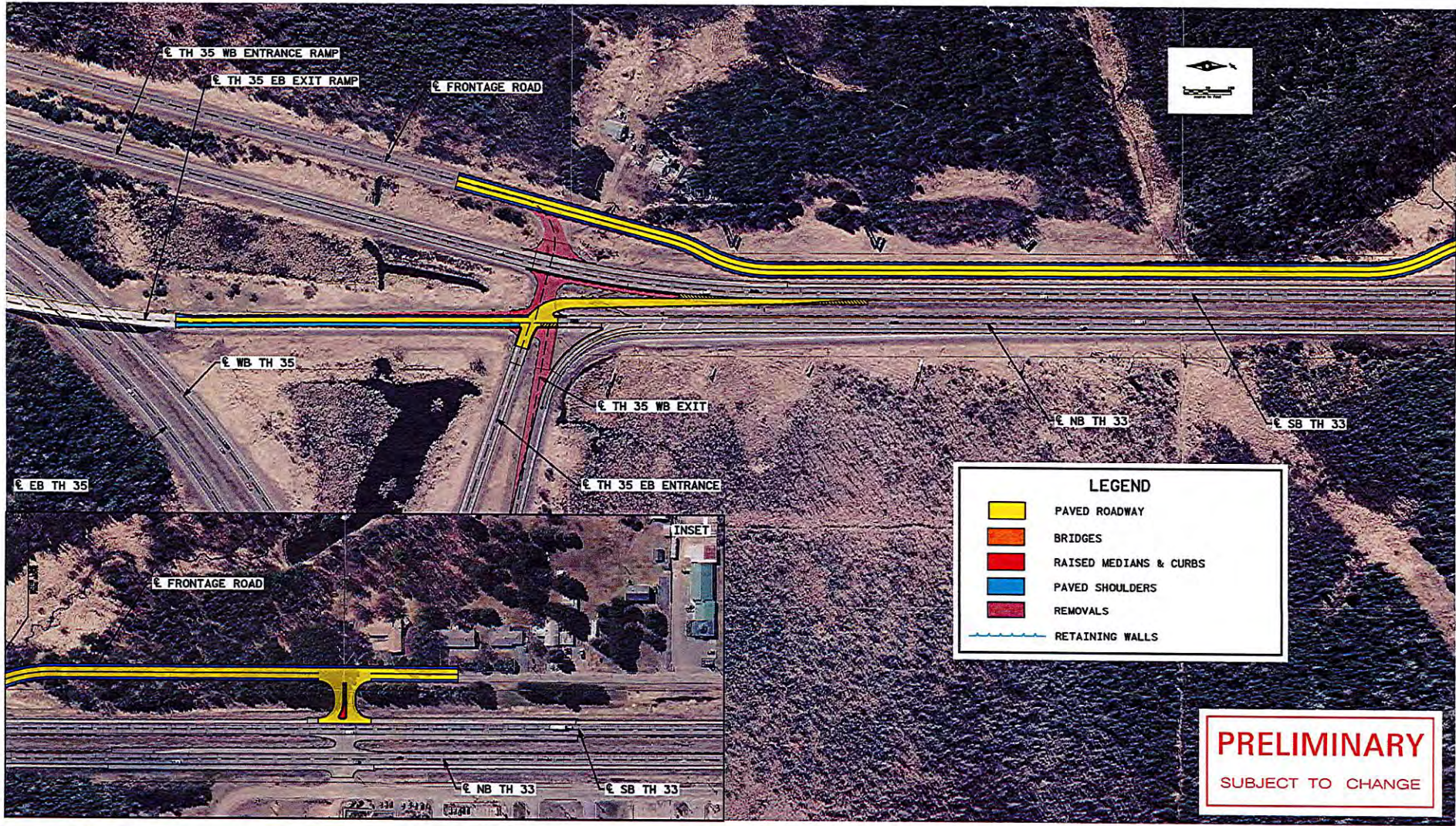




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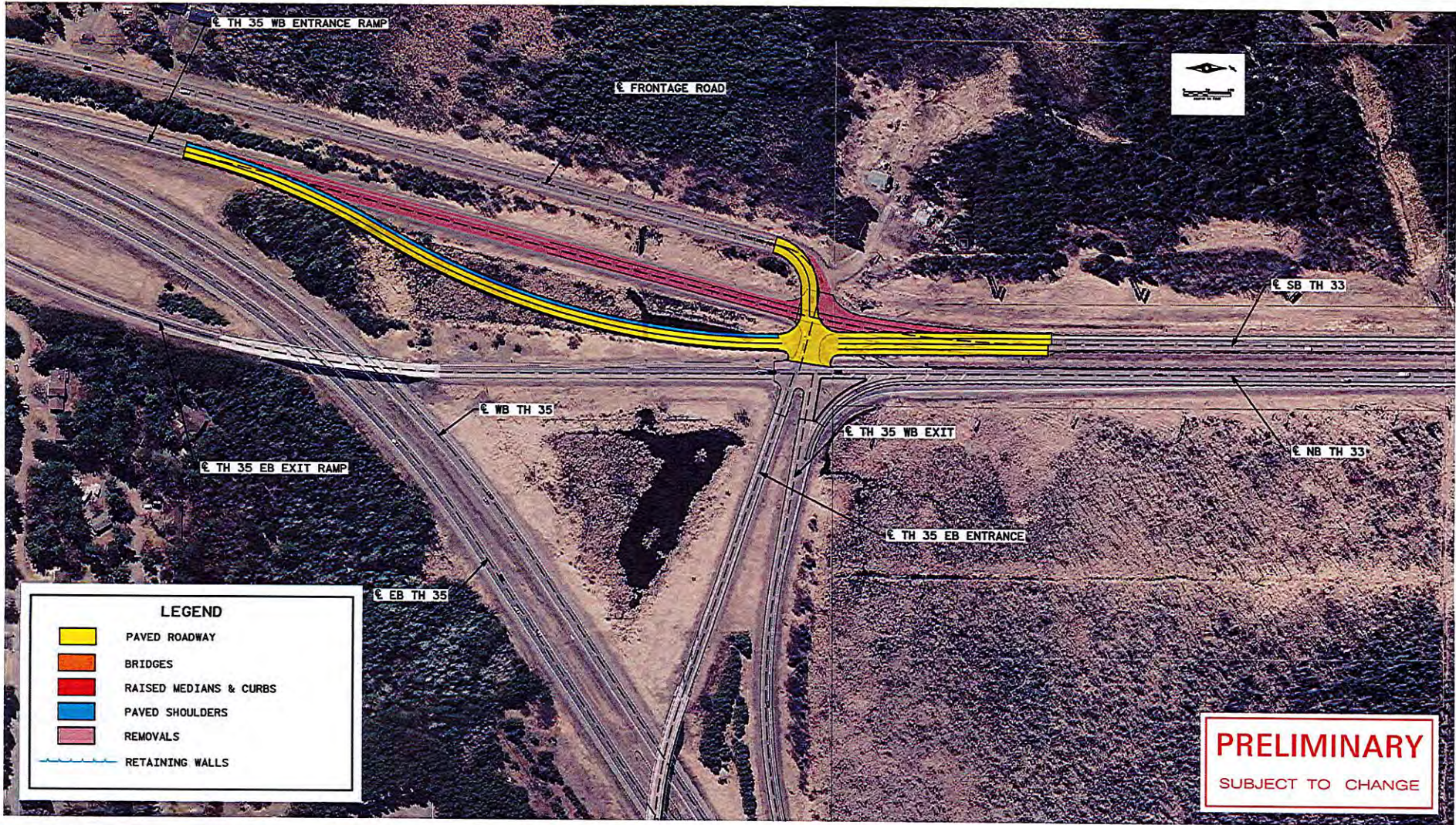






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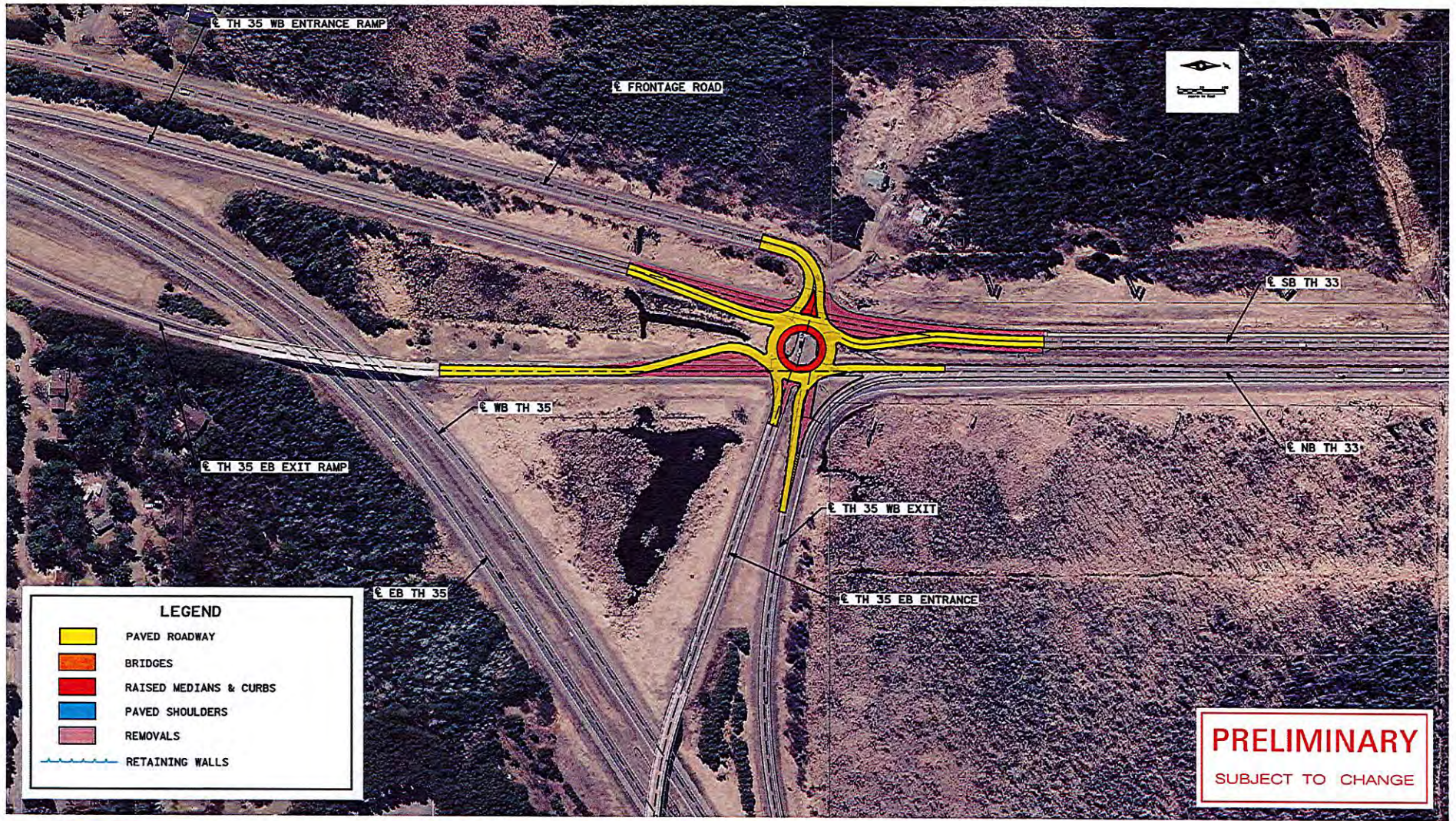




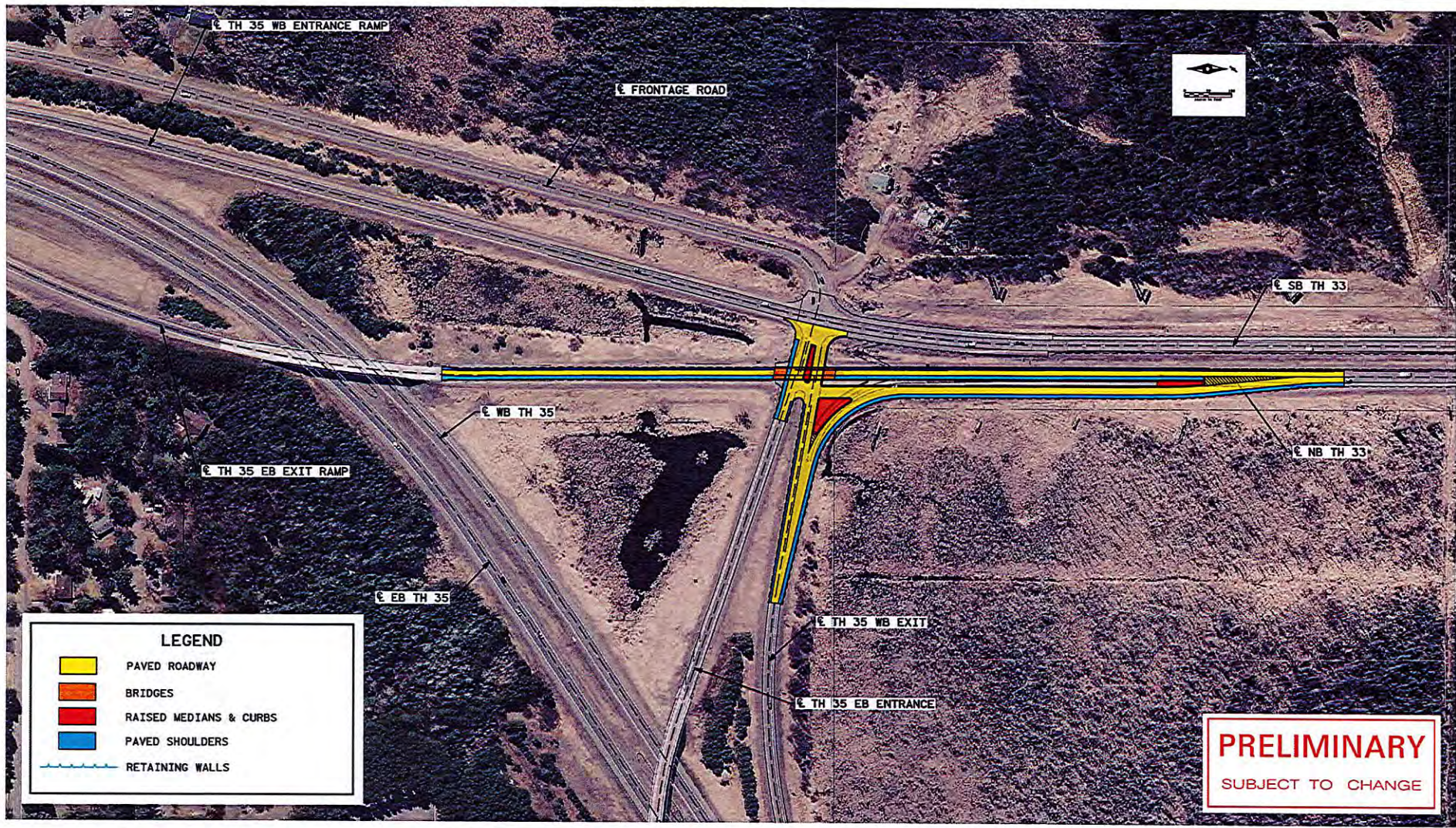
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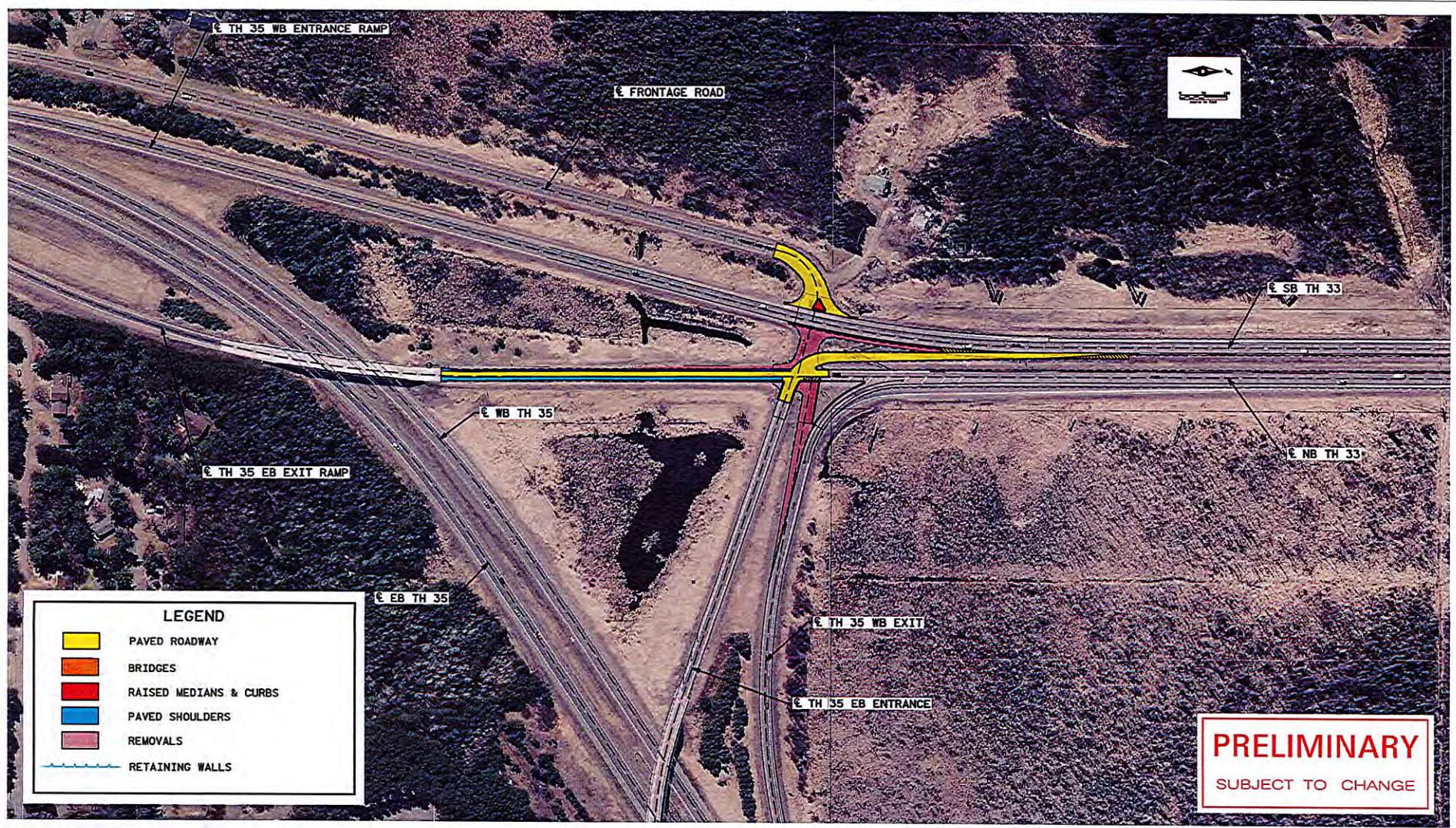










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LEGEND	
	PAVED ROADWAY
	BRIDGES
	RAISED MEDIANS & CURBS
	PAVED SHOULDERS
	REMOVALS
	RETAINING WALLS

**PRELIMINARY**  
SUBJECT TO CHANGE

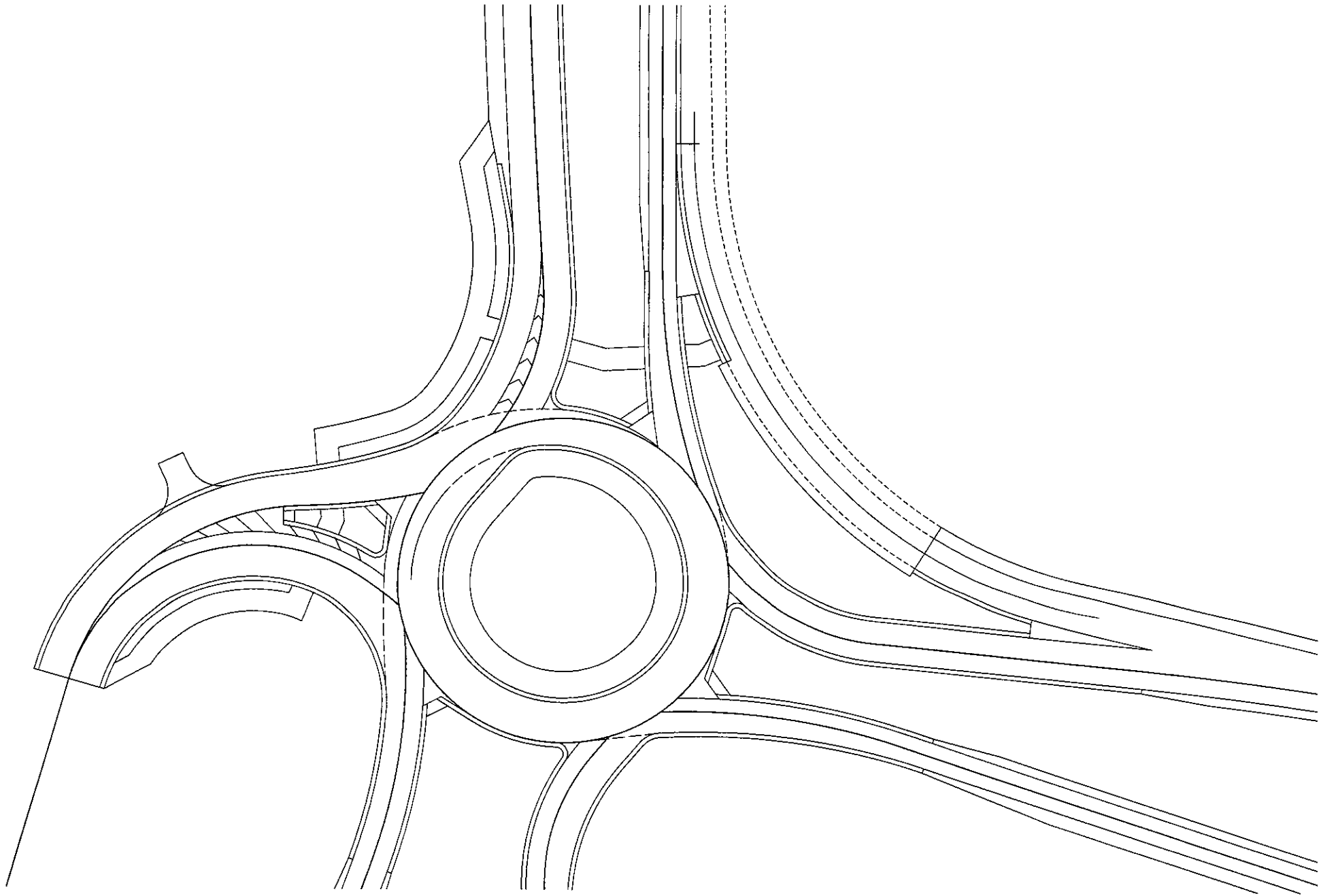


I-35 Planning Study Carlton County  
I-35 and Highway 33 Interchange  
Concept Evaluation Matrix - 1/18/2017

Interchange Alternative	Year 2040 Intersection Operations (Average Delay at Worst Approach)	Safety Considerations	Highway 33 Traffic Mobility	Maintains Access	Heavy Truck Considerations	Bridge Needs	ROW Impact (Acres)	ROW Impact (Parcels)	ROW Impact (Other)	Environmental Impact	Construction/Traffic Impacts	Construction Costs	Notes	
No Build	AM Peak	EB -> 3 Minutes	Maintains traffic flow on TH 33	Yes	No Change	None	None	None	None	None	None	None	Dismissed since it does not address the safety issue	
	PM Peak	EB -> 2 Minutes WB -> 3 Minutes												Does not address current safety issue
	Northbound Recreational Peak	EB -> 3 Minutes WB -> 3 Minutes												- Large Median - Two-stage crossing
	Southbound Recreational Peak	EB -> 3 Minutes WB -> 3 Minutes												
Concept A West Frontage Road	AM Peak	SB - 6 Seconds	Maintains traffic flow on TH 33	Yes	No Change	None	6.0	5.0	9 Billboards	3.7 acres of trees Trout stream impacts	Minimal temporary traffic impacts during construction	\$1.2 M	Trout stream will be routed through culverts. Stream could be relocated/diverted as an option. Additional infrastructure and maintenance, more traffic on the Frontage Road to the north (Gillette Road). Less efficient traffic operations at TH 33 and Gillette Road are expected.	
	PM Peak	SB - 3 Seconds												Improves safety
	Northbound Recreational Peak	SB - 4 Seconds												-Removes west leg through movement -Reconfigures median
	Southbound Recreational Peak	SB - 2 Seconds												
Concept B Tight West Frontage Road	AM Peak	SB - 6 Seconds	Maintains traffic flow on TH 33	Yes	No Change	None	3.9	4.0	9 Billboards	2.0 acres of trees Trout stream impacts	Minimal temporary traffic impacts during construction	\$1.4 M	Does not fully avoid trout stream. Will need to be relocated/diverted which is not included in the construction cost. Additional infrastructure and maintenance, more traffic on the Frontage Road to the north (Gillette Road). Less efficient traffic operations at TH 33 and Gillette Road are expected.	
	PM Peak	SB - 3 Seconds												Improves safety
	Northbound Recreational Peak	SB - 4 Seconds												-Removes westbound through movement -Reconfigures median
	Southbound Recreational Peak	SB - 2 Seconds												
Concept C Tight Intersection	AM Peak	EB -> 3 Minutes	Maintains traffic flow on TH 33	Yes	No Change	None	None	None	None	3.6 acres of wetlands	Substantial temporary impacts during construction	\$1.5 M	Significant amount of earthwork. Wetland will need to be relocated.	
	PM Peak	EB -> 3 Minutes WB -> 3 Minutes												Improves safety
	Northbound Recreational Peak	EB -> 3 Minutes WB -> 3 Minutes												-Reconfigures median -Improves sight lines
	Southbound Recreational Peak	EB -> 3 Minutes WB -> 3 Minutes												
Concept D Roundabout	AM Peak	NB - 11 Seconds	Slows all traffic on Hwy 33	Yes	Designed to accommodate a WB-62	None	None	None	None	None	Substantial temporary impacts during construction	\$1.1 M	May need to have two northbound through lanes to accommodate recreational traffic. Will increase construction costs.	
	PM Peak	NB - 12 Seconds												Improves safety
	Northbound Recreational Peak	NB - 75 Seconds												-Reduction in right-angle and severe crashes
	Southbound Recreational Peak	SB - 21 Seconds												
Concept E TH 33 NB Bridge	AM Peak	EB - 36 Seconds	Maintains traffic flow on TH 33	Yes	No Change	1 Bridge	0.2	1.0	7 Billboards	None	Substantial temporary impacts during construction	\$5.6 M	Most expensive option. All other options are within one million dollars. Still has the potential for right-angle crashes with Frontage Road traffic crossing southbound TH 33.	
	PM Peak	EB - 50 seconds												Improves safety
	Northbound Recreational Peak	EB - 160 seconds												-Removes conflict with northbound vehicles
	Southbound Recreational Peak	EB - 3 seconds												
Concept F Frontage Road Right-to-Right-Out	Was previously evaluated. Dismissed due to strong opposition from the local communities due to restricted access to/from frontage road.													

Notes \* Expanding the northbound movement from a single lane to two lanes will reduce delay to 10 seconds.










**Community Development Department**

1307 Cloquet Avenue • Cloquet MN 55720

Phone: 218-879-2507 • Fax: 218-879-6555

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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: May 31, 2017



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**ITEM DESCRIPTION:** Crematories

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At the last City Council work session the Council was looking for additional information regarding the licensing of a crematory from the Dept. of Health and an idea as to the volume that may be brought to the facility.

Attached is a copy of the State Statute 149A.52 "License to Operate a Crematory". It discusses what you need to do to apply for a license but does not discuss any of the specifics of the equipment. It has the requirements for a crematory and must consist of "a building or structure that complies with applicable local and state building codes, zoning laws and ordinances, and environmental standards, containing one or more cremation chambers or retorts for the cremation of dead human bodies; a motorized mechanical device for grinding, crushing or pulverizing the cremated remains to a granulated appearance appropriate for final disposition; and, an appropriate holding facility for dead human bodies awaiting cremation."

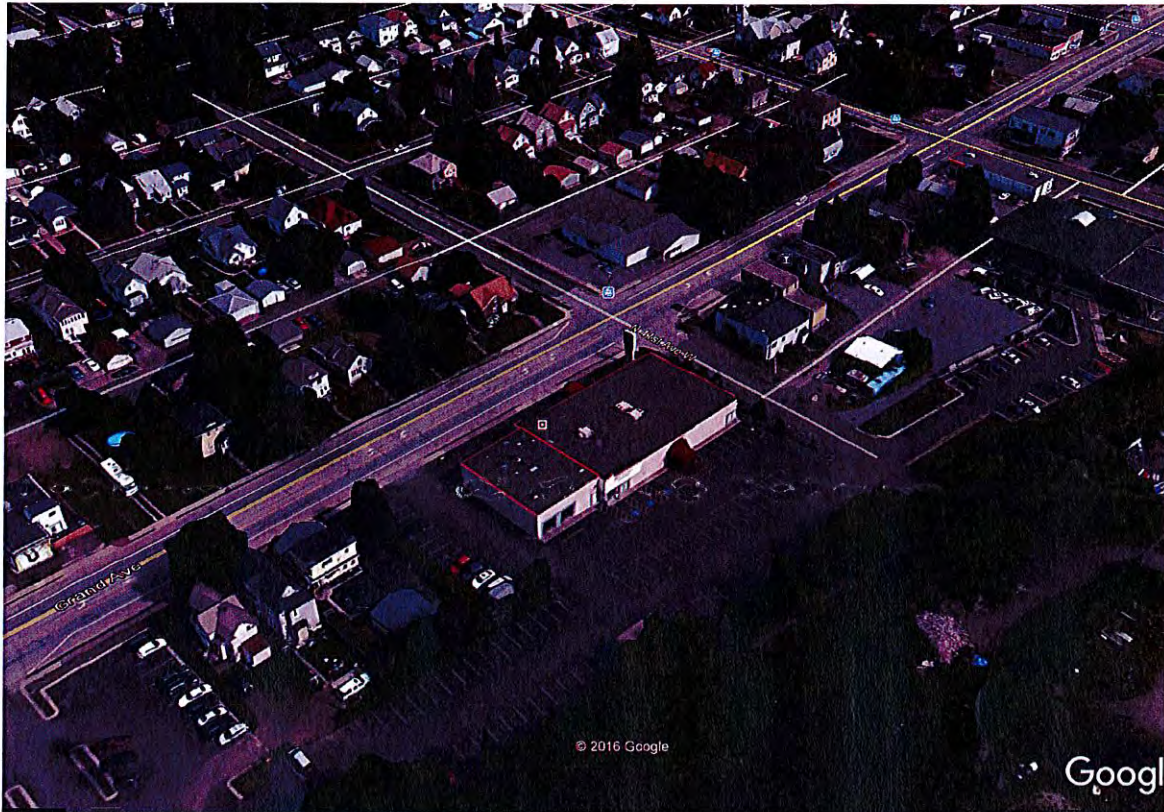
The web site also had information on the number of deaths by year for each county and how many of the deaths were cremated. This information was available for the years 2003 to 2009. Carlton County averaged 282 deaths per year and 140 cremations; Pine County averaged 158 deaths per year and 75 cremations; and, St. Louis County averaged 2,506 deaths per year and 1,326 cremations. It was stated at the meeting that the cremation numbers are close to 75% whereas the numbers prior to 2010 was closer to 50%. If this is true then the numbers would be closer to 211 for Carlton County; 118 for Pine County; and, 1,880 for St. Louis County. Carlton County currently has 3 funeral homes and no cremation facilities; Pine County currently has 3 funeral homes and 1 cremation facility; and St. Louis County has 21 funeral homes and 8 cremation facilities; Duluth 3, Hermantown 1, Virginia 2, Eveleth 1 and Chisholm 1.

Attached is a copy of the Zoning Map, currently a cremation facility is only allowed in the HI District. The Planning Commission is looking at allowing them in the LI, CC, HC and the O/M Districts. They are also considering the possibility of allowing them in conjunction with a funeral home, which would then include the R2 and R3 Districts.

Also attached is a photo of the funeral home and cremation facility at 4100 Grand Avenue, Duluth to give you a perspective of what this looks like being close to residential homes.



Aerial view and street view of the funeral home and cremation facility at 4100 Grand Avenue, Duluth. In the street view the exhaust chimneys for the cremation facility are to the right of the sign on the building.





To the Cloquet City Council

I wish to thank you for allowing me to be part of your work session on Tuesday, May 16<sup>th</sup> regarding the topic of crematories being zoned an accessory use to wherever a funeral home is allowed. I realize the written topic was crematories in residential districts; however, I believe the topic is more realistic to address it as crematories being allowed in any zoning district where a funeral home is allowed.

I just wanted to clarify a couple of points for the council. First, across the entire state you will find crematories in funeral homes with most municipalities considering them an accessory use to a funeral home. Most funeral homes are actually in residential area as they are more compatible in this type of neighborhood, similar to a church, rather than a true commercial or industrial area.

With current EPA regulations regarding air quality, crematory manufacturers have substantially reduced the emissions of all types on modern crematory retorts. No one should be concerned about the emissions. If that were the case crematories would not be allowed anywhere.

I am a business trying to adequately serve the families that choose Atkins Northland Funeral Home. With 75% of our families choosing cremation, that is telling me as the business owner I need to adapt to the ever changing needs of my consumer. I no longer have a casket selection room. With only 25% of my families choosing a casket, it was cost prohibitive to keep that much money wrapped up in inventory. That room has been converted to a viewing room for the cremation families. Businesses need to adapt to their consumer. I am willing to invest the money for our families. I am not saying it will be a profitable venture but when 75% of our families are choosing something, it is my responsibility to provide it. I would like to retain custody of every body placed in our care and when you are talking 75% that is more than I care to transfer custody to a third party.

With the current rate of cremation, the two crematories available to us, Park Hill Cemetery and Superior Cremation Service, they will be unable to keep up with the number of cremations in order to have cremated remains returned to the funeral home prior to service times.

I also do not agree with restricting cremations to only those families served by Atkin Northland Funeral Home simply because of traffic concerns. If you eliminate the 15 plus cars that cut through our parking lot every morning and every afternoon to drop their kids off and pick them up from Washington School, the garbage truck that comes and picks up Barb Moore's trash from my back parking lot every Friday and twice every other Friday for recycling, company coming in their motorhomes to visit Eleanor Aho, Chris Simmons cutting through our lot and driving across our lawn to park his camper and construction trailer behind his garage, the taxi cab company that is operating out of the house just two doors to the south of us that has late night



and middle of the night business dealings in our parking lot with their unknown clientele, the lady who rents Jerry Manthy's house conducting her Craig's List sales in our parking lot, Danny Rogers who used to park his car and trailer hauling his lawnmower to mow the lawn directly across the road on 14<sup>th</sup> St., the dental clinic patients who frequently park in our lot and walk across the street, and the several daily turn arounds, I could probably service every funeral home in the Twin Ports with absolutely no effect. This traffic goes unnoticed by everyone but me.

We have no desire or expectations of soliciting any business from any other funeral home. Cremation Services of Superior does an excellent job serving families and funeral homes. I have no desire to take business away from them. They are honest hard working people. We respect them greatly. However, should a funeral home, for convenience and timeliness of returning cremated remains wish to ask for our services, I would be willing to provide that service. No other funeral home is restricted in that way.

So you have issued by a conditional use permit in an R2 district because your zoning laws say a funeral home is compatible. Yet you tax me as a commercial entity. If you want to tax me as a commercial entity, then I simply request you afford me the same benefits of a commercial entity. If you want to restrict me as a residential entity, then tax me as a residential entity.

Looking at this with common sense we can ask and answer a few simple questions:

Is a crematory a desired service by the Cloquet population? Yes, 75% are choosing it.

Is a crematory safe to operate? Yes and only getting safer.

Is a crematory more a function of a funeral home or a heavy industrial company? A funeral home without question.

Is there someone willing to put up the money to provide local cremation services? Yes

Who is assuming all of the risk on this business venture? Atkins Northland Funeral Home

Should the city council be supportive of small business wanting to make a difference in their community? That shouldn't even have to be asked.

Again this should not be a question of a crematory in a residential district. The question is should the city of Cloquet change their zoning for crematories to be considered an accessory use to a funeral home. Therefore wherever a funeral home is allowed, a crematory is allowed. There should also be consideration of a stand alone crematory should someone other than a funeral home wish to put one in. Heavy industrial is not a compatible zone for a crematory. Perhaps commercial or light industrial.

By putting the crematory on current funeral home property, I can reduce the cost to the consumer of each cremation by \$325.00 as that is the charge I have for going to Superior to take the body over and a second trip to pick up cremated remains.

If required to put up a crematory in a different zoning district, the cost to the consumer will increase as property taxes will be passed on to the consumer as will the additional overhead for that particular structure and my extra time having to be offsite and the transportation charge to the crematory comes back into play.



It would also be my intention to add an additional needed service for this area, a pet crematory. My intent would be to service the local vets who are now using a crematory in Anoka, Minnesota. If a client has a pet that died, it can take up to four weeks to get the cremated remains of that animal back. MN law does not allow humans and animals to be cremated in the same retort. I would be planning on having two separate retorts in actually two separate sides of the building. The animal cremation area and human cremation areas would not be accessible from one to the other. Outside entrances would be the only way to get from one to the other. Twice the equipment would be needed as no equipment would or could be used for both. I am willing to make this investment because it is a needed service in the northland. I get many calls inquiring about pet cremation. As far as traffic, there would be virtually none as we would provide this service to veterinarians. We would pick up and drop off on a regular schedule, which would mean we would leave once, go to all of the vets that contract with us and return. Then a few days later we would return the cremated remains.

Across the country more and more funeral homes are adding this service to their communities. Veterinarians are not. Many people consider their pets a part of their family, many even as a child. Waiting four weeks is troubling to many as within that time anything could happen such as misplacing their animal's cremated remains.

I am not intending this to be a surprise as I did mention this to Mr. Cottingham in my initial discussions. I am trying to be as transparent as I possibly can.

Lastly, I am not sure what Jerry Manthy's problem is. He has never lived in the house that he owns in the neighborhood and I seriously doubt he ever intends to. He somehow has declared himself the zoning God of Cloquet. He says this belongs in a commercial area. Well the dentist is commercial, I am taxed as commercial, and last fall the planning and zoning recommended changing my zoning to neighborhood commercial. I guess we are pretty much there.

I am just asking you to apply common sense and look at what other communities are doing regarding this matter. With the number of families in our community that are requesting cremation, I am willing to answer their call and invest my money in this. If I have to buy land and put up more of a structure than what I would need if put it on my existing property, it will not be cost effective. I am not expecting this to be profitable, I am just hoping it will pay for itself. It's all about providing the services to our families.

Respectfully submitted,

Bob Atkins  
Atkins Northland Funeral Home



**149A.52 LICENSE TO OPERATE A CREMATORY.**

Subdivision 1. **License requirement.** Except as provided in section 149A.01, subdivision 3, no person shall maintain, manage, or operate a place or premises devoted to or used in the holding and cremation of a dead human body without possessing a valid license to operate a crematory issued by the commissioner of health.

Subd. 2. **Requirements for crematory.** (a) A crematory licensed under this section must consist of:

(1) a building or structure that complies with applicable local and state building codes, zoning laws and ordinances, and environmental standards, containing one or more cremation chambers or retorts for the cremation of dead human bodies;

(2) a motorized mechanical device for grinding, crushing, or pulverizing the cremated remains to a granulated appearance appropriate for final disposition; and

(3) an appropriate holding facility for dead human bodies awaiting cremation.

(b) A crematory licensed under this section may also contain a display room for funeral goods.

Subd. 3. **Application procedure; documentation; initial inspection.** An applicant for a license to operate a crematory shall submit to the commissioner a completed application. A completed application includes:

(1) a completed application form, as provided by the commissioner;

(2) proof of business form and ownership; and

(3) proof of liability insurance coverage or other financial documentation, as determined by the commissioner, that demonstrates the applicant's ability to respond in damages for liability arising from the ownership, maintenance, management, or operation of a crematory.

Upon receipt of the application and appropriate fee, the commissioner shall review and verify all information. Upon completion of the verification process and resolution of any deficiencies in the application information, the commissioner shall conduct an initial inspection of the premises to be licensed. After the inspection and resolution of any deficiencies found and any reinspections as may be necessary, the commissioner shall make a determination, based on all the information available, to grant or deny licensure. If the commissioner's determination is to grant the license, the applicant shall be notified and the license shall issue and remain valid for a period prescribed on the license, but not to exceed one calendar year from the date of issuance of the license. If the commissioner's determination is to deny the license, the commissioner must notify the applicant, in writing, of the denial and provide the specific reason for denial.

Subd. 4. **Nontransferability of license.** A license to operate a crematory is not assignable or transferable and shall not be valid for any person other than the one named. Each license issued to operate a crematory is valid only for the location identified on the license. A 50 percent or more change in ownership or location of the crematory automatically terminates the license. Separate licenses shall be required of two or more persons or other legal entities operating from the same location.

Subd. 5. **Display of license.** Each license to operate a crematory must be conspicuously displayed in the crematory at all times. Conspicuous display means in a location where a member of the general public within the crematory will be able to observe and read the license.

Subd. 5a. [Repealed, 2013 c 108 art 12 s 109]



Subd. 6. **Period of licensure.** All licenses to operate a crematory issued by the commissioner are valid for a period of one calendar year beginning on July 1 and ending on June 30, regardless of the date of issuance.

Subd. 7. **Reporting changes in license information.** Any change of license information must be reported to the commissioner, on forms provided by the commissioner, no later than 30 calendar days after the change occurs. Failure to report changes is grounds for disciplinary action.

Subd. 8. **Application information.** All information submitted to the commissioner by an applicant for a license to operate a crematory is classified as licensing data under section 13.41, subdivision 5.

**History:** 1997 c 215 s 21; 2007 c 114 s 23,24; 2007 c 147 art 9 s 31; 2009 c 101 art 2 s 109



**149A.95 CREMATORIES AND CREMATION.**

Subdivision 1. **License required.** No person shall cremate a dead human body or cause any dead human body to be cremated in this state without being licensed by the commissioner of health.

Subd. 2. **General requirements.** Any building to be used as a crematory must comply with all applicable local and state building codes, zoning laws and ordinances, and environmental standards. A crematory must have, on site, a human cremation system approved by the commissioner, a motorized mechanical device for processing cremated remains and must have, in the building, a holding facility for the retention of dead human bodies awaiting cremation. The holding facility must be secure from access by anyone except the authorized personnel of the crematory, preserve the dignity of the remains, and protect the health and safety of the crematory personnel.

Subd. 3. **Unlicensed personnel.** A licensed crematory may employ unlicensed personnel, provided that all applicable provisions of this chapter are followed. It is the duty of the licensed crematory to provide proper training for all unlicensed personnel and the licensed crematory shall be strictly accountable for compliance with this chapter and other applicable state and federal regulations regarding occupational and workplace health and safety.

Subd. 4. **Authorization to cremate required.** No crematory shall cremate or cause to be cremated any dead human body or identifiable body part without receiving written authorization to do so from the person or persons who have the legal right to control disposition as described in section 149A.80 or the person's legal designee. The written authorization must include:

- (1) the name of the deceased and the date of death;
- (2) a statement authorizing the crematory to cremate the body;
- (3) the name, address, relationship to the deceased, and signature of the person or persons with legal right to control final disposition or a legal designee;
- (4) certification that the body does not contain any implanted mechanical or radioactive device, such as a heart pacemaker, that may create a hazard when placed in the cremation chamber;
- (5) authorization to remove the body from the container in which it was delivered, if that container is not appropriate for cremation, and to place the body in an appropriate cremation container and directions for the disposition of the original container;
- (6) authorization to open the cremation chamber and reposition the body to facilitate a thorough cremation and to remove from the cremation chamber and separate from the cremated remains, any noncombustible materials or items;
- (7) directions for the disposition of any noncombustible materials or items recovered from the cremation chamber;
- (8) acknowledgment that the cremated remains will be mechanically reduced to a granulated appearance and placed in an appropriate container and authorization to place any cremated remains that a selected urn or container will not accommodate into a temporary container;
- (9) acknowledgment that, even with the exercise of reasonable care, it is not possible to recover all particles of the cremated remains and that some particles may inadvertently become commingled with disintegrated chamber material and particles of other cremated remains that remain in the cremation chamber or other mechanical devices used to process the cremated remains; and



(10) directions for the ultimate disposition of the cremated remains.

Subd. 5. **Limitation of liability.** A licensed crematory acting in good faith, with reasonable reliance upon an authorization to cremate, pursuant to an authorization to cremate, and in an otherwise lawful manner shall be held harmless from civil liability and criminal prosecution for any actions taken by the crematory.

Subd. 6. **Acceptance of delivery of body.** No dead human body shall be accepted for final disposition by cremation unless encased in an appropriate cremation container or wrapped in an impermeable sheet or pouch and placed on a tray rigid enough for handling with ease, accompanied by a disposition permit issued pursuant to section 149A.93, subdivision 3, including a photocopy of the completed death record or a signed release authorizing cremation of the body received from the coroner or medical examiner, and accompanied by a cremation authorization that complies with subdivision 4. A crematory shall refuse to accept delivery of a cremation container where there is:

- (1) evidence of leakage of fluids from the cremation container;
- (2) a known dispute concerning cremation of the body delivered;
- (3) a reasonable basis for questioning any of the representations made on the written authorization to cremate; or
- (4) any other lawful reason.

Subd. 6a. **Bodies awaiting cremation.** A dead human body must be cremated within 24 hours of the crematory accepting legal and physical custody of the body.

Subd. 7. **Handling of cremation containers for dead human bodies.** All crematory employees handling cremation containers for dead human bodies shall use universal precautions and otherwise exercise all reasonable precautions to minimize the risk of transmitting any communicable disease from the body. No dead human body shall be removed from the container in which it is delivered to the crematory without express written authorization of the person or persons with legal right to control the disposition and only by a licensed mortician. If, after accepting delivery of a body for cremation, it is discovered that the body contains an implanted mechanical or radioactive device, that device must be removed from the body by a licensed mortician or physician prior to cremation.

Subd. 8. **Identification of body.** All licensed crematories shall develop, implement, and maintain an identification procedure whereby dead human bodies can be identified from the time the crematory accepts delivery of the remains until the cremated remains are released to an authorized party. After cremation, an identifying disk, tab, or other permanent label shall be placed within the cremated remains container before the cremated remains are released from the crematory. Each identification disk, tab, or label shall have a number that shall be recorded on all paperwork regarding the decedent. This procedure shall be designed to reasonably ensure that the proper body is cremated and that the cremated remains are returned to the appropriate party.

Subd. 9. **Cremation chamber for human remains.** A licensed crematory shall knowingly cremate only dead human bodies or human remains in a cremation chamber, along with the cremation container and the sheet or pouch used for disease control.

Subd. 10. **Cremation procedures; privacy.** The final disposition of dead human bodies by cremation shall be done in privacy. Unless there is written authorization from the person with the legal right to control the disposition, only authorized crematory personnel shall be permitted in the cremation area while any dead



human body is in the cremation area awaiting cremation, in the cremation chamber, being removed from the cremation chamber, or being processed and placed in a cremated remains container.

Subd. 11. **Cremation procedures; commingling of remains prohibited.** Except with the express written permission of the person with legal right to control the disposition, no crematory shall cremate more than one dead human body at the same time and in the same cremation chamber, or introduce a second dead human body into a cremation chamber until reasonable efforts have been employed to remove all fragments of the preceding cremated remains, or cremate a dead human body and other human remains at the same time and in the same cremation chamber. This section does not apply where commingling of human remains during cremation is otherwise provided by law. The fact that there is incidental and unavoidable residue in the cremation chamber used in a prior cremation is not a violation of this subdivision.

Subd. 12. **Cremation procedures; removal from cremation chamber.** Upon completion of the heat and flame reduction process, reasonable efforts shall be made to remove from the cremation chamber all of the recoverable cremated human remains and noncombustible materials or items. If possible, the noncombustible materials or items shall be separated from the cremated human remains and disposed of, in any lawful manner, by the crematory. The cremated human remains shall be placed in an appropriate container to be transported to the processing area.

Subd. 13. **Cremation procedures; commingling of cremated remains prohibited.** Except with the express written permission of the person with legal right to control the final disposition or otherwise provided by law, no crematory shall mechanically process the cremated human remains of more than one body at a time in the same mechanical processor, or introduce the cremated human remains of a second body into a mechanical processor until processing of any preceding cremated human remains has been terminated and reasonable efforts have been employed to remove all fragments of the preceding cremated remains. The fact that there is incidental and unavoidable residue in the mechanical processor or any container used in a prior cremation is not a violation of this provision.

Subd. 14. **Cremation procedures; processing cremated remains.** The cremated human remains shall be reduced by a motorized mechanical device to a granulated appearance appropriate for final disposition and placed in a cremated remains container along with the appropriate identifying disk, tab, or permanent label.

Subd. 15. **Cremation procedures; container of insufficient capacity.** If a cremated remains container is of insufficient capacity to accommodate all cremated remains of a given dead human body, subject to directives provided in the written authorization to cremate, the crematory shall place the excess cremated remains in a secondary cremated remains container and attach the second container, in a manner so as not to be easily detached through incidental contact, to the primary cremated remains container. The secondary container shall contain a duplicate of the identification disk, tab, or permanent label that was placed in the primary container and all paperwork regarding the given body shall include a notation that the cremated remains were placed in two containers.

Subd. 16. **Disposition procedures; commingling of cremated remains prohibited.** No cremated remains shall be disposed of or scattered in a manner or in a location where the cremated remains are commingled with those of another person without the express written permission of the person with the legal right to control disposition or as otherwise provided by law. This subdivision does not apply to the burial of cremated remains at sea from individual containers, to the scattering or burial of cremated remains in a dedicated cemetery, to the disposal in a dedicated cemetery of accumulated residue removed from a cremation chamber or other cremation equipment, to the inurnment of members of the same family in a common container designed for the cremated remains of more than one body, or to the inurnment in a container or



interment in a space that has been previously designated, at the time of sale or purchase, as being intended for the inurnment or interment of the cremated remains of more than one person.

Subd. 17. **Cremation procedures; disposition of accumulated residue.** Every crematory shall provide for the removal and disposition in a dedicated cemetery of any accumulated residue from any cremation chamber, mechanical processor, container, or other equipment used in cremation. Disposition of accumulated residue shall be in accord with the regulations of the dedicated cemetery and any applicable local ordinances.

Subd. 18. **Cremation procedures; release of cremated remains.** Following completion of the cremation, the inurned cremated remains shall be released according to the instructions given on the written authorization to cremate. If the cremated remains are to be shipped, they must be securely packaged and transported by a method which has an internal tracing system available and which provides for a receipt signed by the person accepting delivery. Where there is a dispute over release or disposition of the cremated remains, a crematory may deposit the cremated remains with a court of competent jurisdiction pending resolution of the dispute or retain the cremated remains until the person with the legal right to control disposition presents satisfactory indication that the dispute is resolved.

Subd. 19. **Unclaimed cremated remains.** If, after 30 calendar days following the inurnment, the cremated remains are not claimed or disposed of according to the written authorization to cremate, the crematory or funeral establishment shall give written notice, by certified mail, to the person with the legal right to control the final disposition or a legal designee, that the cremated remains are unclaimed and requesting further release directions. Should the cremated remains be unclaimed 120 calendar days following the mailing of the written notification, the crematory or funeral establishment may dispose of the cremated remains in any lawful manner deemed appropriate.

Subd. 20. **Required records.** Every crematory shall create and maintain on its premises or other business location in Minnesota an accurate record of every cremation provided. The record shall include all of the following information for each cremation:

- (1) the name of the person or funeral establishment delivering the body for cremation;
- (2) the name of the deceased and the identification number assigned to the body;
- (3) the date of acceptance of delivery;
- (4) the names of the cremation chamber and mechanical processor operator;
- (5) the time and date that the body was placed in and removed from the cremation chamber;
- (6) the time and date that processing and inurnment of the cremated remains was completed;
- (7) the time, date, and manner of release of the cremated remains;
- (8) the name and address of the person who signed the authorization to cremate;
- (9) all supporting documentation, including any transit or disposition permits, a photocopy of the death record, and the authorization to cremate; and
- (10) the type of cremation container.

Subd. 21. **Retention of records.** Records required under subdivision 20 shall be maintained for a period of three calendar years after the release of the cremated remains. Following this period and subject to any other laws requiring retention of records, the crematory may then place the records in storage or reduce them



to microfilm, microfiche, laser disc, or any other method that can produce an accurate reproduction of the original record, for retention for a period of ten calendar years from the date of release of the cremated remains. At the end of this period and subject to any other laws requiring retention of records, the crematory may destroy the records by shredding, incineration, or any other manner that protects the privacy of the individuals identified.

**History:** *1997 c 215 s 41; 1Sp2001 c 9 art 15 s 32; 2007 c 114 s 64-73*



**Cloquet City Council Work Session**  
Tuesday, May 16, 2017

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

**Absent:** None

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

**Other:** B. Helwig, J. Peterson, Pine Journal, P. Keenan, Roers Investments, B. Atkins

**Crematories in Residential Districts**

- The Planning Commission has been discussing amending the zoning ordinance to allow crematories in residential districts. Current zoning allows for funeral homes in residential districts but not crematories. The Planning Commission has been discussing whether or not to allow them in conjunction with a funeral home. They are looking for input from Council prior to scheduling a Public Hearing on this issue. Would this be allowed as a permitted use to the funeral home in the Residential district or with a Conditional Use Permit or not at all?
- Mr. Cottingham has researched other communities with crematories; Duluth and Grand Rapids. Both of have crematories in residential neighborhoods and are an accessory use to the funeral home.
- Atkins would build a 20x30 free standing building next to their funeral home.
- Councilor Kolodge requested that Mr. Cottingham research efficiencies and emissions through the MN Department of Health.
- Mr. Atkins stated cremations account for 75% vs burials. It is expensive to outsource for cremation services.
- Discussion on the effects of this in residential neighborhoods with the possibility of increased traffic. Councilor Bjerkness also requested more research on traffic at the previously mentioned crematories and the effect on their neighborhoods. Mr. Cottingham will put together numbers to present at June 2<sup>nd</sup> Work Session.
- Councilor Bjerkness asked why this cannot be built in the Commercial District. Mr. Atkins answered because of the high taxes.
- Ms. Hansen and Mr. Cottingham will also put together a map of the Cloquet Commercial districts as potential options.

**Free Standing Signage**

- Planning Commission has recently discussed a variance application to allow a pylon sign on property that does not have frontage on Highway 33. The Commission is now looking for input from the Council. Mr. Cottingham explained the ordinance was originally created to control blight above 10 feet on property that did not have Hwy 33 frontage.
- Council agreed to look at this issue case by case as it has not been an issue for many years. If it does become an issue, Mr. Cottingham will bring it back to Council for a tentative ordinance amendment.



### **ATVs on City Streets**

- Mr. Palmer was present to discuss ATVs on City streets. There currently is no ordinance that prohibits ATVs from being driven on the streets. The only regulation is keeping them out of city parks and off private property.
- Mr. Palmer reviewed the age guidelines for riding ATVs on City streets.
- Most complaint calls received were from the campground where the highest ATV traffic occurs.
- Discussion of putting up more signage at the campground and by the bridge. This has seemed to work at Fauley Park.
- Mr. Peterson stated one concept of the Park Plans was to reroute ATVs to the backside of the campground and it remains a viable options.
- Council agreed to remain as the City stands currently with ATVs but will look at rerouting trails.
- Mr. Palmer will pull complaints as they come in to compile a more accurate picture.

### **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

Roll Call



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

Councilors Absent: None

Pledge of Allegiance

### AGENDA

**MOTION:** Councilor Rock moved and Councilor Maki seconded the motion to approve the May 16, 2017 agenda. The motion carried unanimously (7-0).

### MINUTES

**MOTION:** Councilor Bailey moved and Councilor Langley seconded the motion to approve the minutes of the Work Session and Regular Meeting of May 2, 2017. The motion carried unanimously (7-0).

### CONSENT AGENDA

**MOTION:** Councilor Bjerckness moved and Councilor Bailey seconded the motion to adopt the consent agenda of May 16, 2017 approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 17-49, Authorizing the Payment of Bills
- b. Renewal of 2017-2018 Liquor and Related Business Licenses
- c. Approval of New Liquor License for Hospitality Partners, NE BBQ and Smokehouse
- d. Cloquet 4<sup>th</sup> of July Outdoor Public Fireworks Display Permit - Pyrotechnics

### PUBLIC HEARING

#### **CARL STREET IMPROVEMENTS**

Mayor Hallback announced that now is the time and place for the public hearing on the proposed final assessments for the improvement of Carl Street from South Highway 33 Frontage Road to Walter Avenue.

**MOTION:** Councilor Rock and Councilor Kolodge seconded the motion to adopt **RESOLUTION NO. 17-51, RESOLUTION ADOPTING ASSESSMENTS FOR THE IMPROVEMENT OF CARL STREET FROM SOUTH HIGHWAY 33 FRONTAGE ROAD TO WALTER AVENUE.** The motion carried unanimously (7-0).

**WHEREAS,** The City received a petition signed by four of seven property owners along Carl Street requesting a bituminous overlay of their block between the South Highway 33 Frontage Road and Walter Avenue; and

**WHEREAS,** The Cloquet City Council on March 2, 2016, held a public hearing to consider the improvement; and

**WHEREAS,** Said improvement was subsequently ordered and completed and the City has prepared a proposed assessment roll, which is available in the office of the City Administrator for public inspection; and

**WHEREAS,** Due notice was given that said special assessments would be considered by the City Council at its meeting to be held on May 16, 2017, and at said meeting and time all parties interested were given an opportunity to be heard; and

**WHEREAS,** The City Council has met, heard and passed upon all objections to the proposed assessment.

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

1. Such assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefitted by the improvement in the amount of the assessment levied against it.



2. Said assessments shall be payable in equal annual installments extending over a period of five (5) years and shall bear interest at a rate of four and one-half percent (4.5%) per annum from June 15, 2017. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to June 15, 2017. Any principal not paid by November 30<sup>th</sup> of each year, will be certified along with accrued interest to the Carlton County Auditor for collection with the Real Estate Taxes payable over the period stated above.

#### PRESENTATIONS

- a. Police Officer Ryan Lunda read the Oath of Office for his position as Police Officer for the City of Cloquet.

#### SUMMER SEASONAL APPOINTMENTS

**MOTION:** Councilor Bjerkness moved and Councilor Langley seconded the motion to approve the appointments of Trent Anderson, Avery Bieri, Rand Bieri, Courtney Beaupre, Erin Dahnke, Joshua Keith, Alec Norrgard and Austin Parenteau as summer seasonal Public Works employees, and Austin Diederich as temporary summer engineering intern. The motion carried unanimously (7-0).

#### SUPPORT FOR THE HOUSING TAX CREDIT APPLICATION BY ROERS INVESTMENTS

**MOTION:** Councilor Bjerkness moved and Councilor Bailey seconded the motion to adopt **RESOLUTION NO. 17-37, A RESOLUTION OF CITY OF CLOQUET SUPPORT FOR THE HOUSING TAX CREDIT APPLICATION BY ROERS INVESTMENTS TO THE STATE OF MINNESOTA FOR THE ADAPTIVE REUSE OF THE CLOQUET MIDDLE SCHOOL BUILDING AT 509 CARLTON AVENUE INTO WORKFORCE HOUSING.** The motion carried (6-1), Councilor Kolodge opposing.

**WHEREAS**, in October 2015 the Cloquet School District released a request for housing/mixed use proposals for the adaptive reuse, partial reuse or redevelopment of their 180,000 square foot historic 1921 Middle School building located at 509 Carlton Avenue; and

**WHEREAS**, in March 2016 after public engagement, the Shernan Associates proposal for adaptive reuse into affordable workforce housing was approved by ISD 94 and issued a Resolution of Support by the Cloquet City Council, however the project was not selected by the state in 2016 due to late historic tax credit approval; and

**WHEREAS**, Roers Investments has come forward to propose a project for the 2017 housing tax credit process; and

**WHEREAS**, the Roers Investments proposal for the Cloquet Middle School site proposes 57- units of affordable and market rate workforce rental housing to be owned and managed by Roers Investments, or an affiliate, which will meet the locally-identified housing need for quality affordable workforce housing which is in short supply in the local housing market, as evidenced and further described in the Cloquet/Scanlon Housing Study (2014, Stantec Consulting); and

**WHEREAS**, Cloquet Middle School Apartments contributes to efforts outlined in the City of Cloquet's Cooperatively Developed Plan (CDP) and Planned Community Development Plan to address locally identified needs and priorities in which local stakeholders are actively engaged. Specifically, the adaptive reuse of Cloquet Middle School contributes to the objectives outlined in the community-supported 2014 Cloquet/Scanlon Housing Study adopted by the City Council on February 4, 2014. Additionally, in an effort to implement the Cloquet/Scanlon Housing Study, the 2014 Cloquet/Scanlon Housing Task Force, composed of members from the City of Cloquet, City of Scanlon, Cloquet HRA, Carlton County, elected officials, area housing developers, area housing managers, Fond du Lac Reservation, and Arrowhead Regional Development Commission, adopted recommendations on August 5, 2014 which identified the Cloquet Middle School in Goal #9 and Goal #5 as a development opportunity to meet the affordable workforce housing niche; and

**WHEREAS**, the City of Cloquet supports the application of Roers Investments for Low Income Housing Tax Credits through Minnesota Housing and related federal and state Historic Tax Credits in support of this adaptive reuse project, and

**WHEREAS**, this project will utilize existing infrastructure including water, sewer, gas, electric etc.; and

**NOW, THEREFORE, BE IT RESOLVED**, that City Council of the City of Cloquet adopts this resolution of support related to Roers Investments Minnesota Housing Finance Agency tax credit application for affordable workforce housing and as evidence

of its commitment to provide ongoing assistance to bring the project to completion as deemed to be appropriate in the sole discretion of the City Council and the Cloquet Economic Development Authority.

**AMENDING CITY CODE CHAPTER 17 PERTAINING TO SPECIAL EVENTS**

**MOTION:** Councilor Rock moved and Councilor Bjerkness seconded the motion to adopt **ORDINANCE NO. 466A, AN ORDINANCE TO AMEND CHAPTER 17 OF THE MUNICIPAL CODE PERTAINING TO SPECIAL EVENTS.** The motion carried unanimously (7-0).

The City Council of the City of Cloquet does hereby ordain as follows:

**Section 1. Section 17.1.05, Definitions** is amended to add:

**Subd. 107.2 Special Event.** Means a unique or unforeseen event of limited duration occurring within the City of Cloquet Area or within 30 miles of the primary site of the special event site which is within the City of Cloquet, and is of such significance as to allow for the relaxation of zoning requirements and the implementation of special provisions when provided in any permit, variance, or other zoning document.

The Zoning Administrator shall make the final determination as to whether the significance of a special event 7 days or less in duration rises to the level of a Special Event. The Planning Commission shall be the approval authority of all special events in excess of 7 days. A special event may be extended by the approval authorities noted above.

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

**VACATING ALLEY WEST OF MAIN STREET, NORTH OF ST. LOUIS AVENUE**

**MOTION:** Councilor Kolodge moved and Councilor Rock seconded the motion to adopt **RESOLUTION NO. 17-52, RESOLUTION APPROVING THE VACATION OF EAST/WEST ALLEY LYING WEST OF MAIN STREET, NORTH OF ST. LOUIS AVENUE.** The motion carried unanimously (7-0).

**WHEREAS,** Bert Whittington is proposing to vacate the east/west alley lying west of Main Street, north of St. Louis Avenue; and

**WHEREAS,** As required by ordinance, notification was advertised in the Pine Journal and effected property owners have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on May 9, 2017 at which time Zoning Case / Development Review No. 17-07 was heard and discussed; and

**WHEREAS,** the property of the proposed Vacation is located west of Main Street and north of St. Louis Avenue and is legally described as follows:

The alley located within Block 8, City of Cloquet Dunlaps Addition. And,

**WHEREAS,** the Planning Commission reviewed the staff report and recommends approval of the Vacation.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA,** that it approves of Zoning Case 17-07 for a vacation of the east/west alley lying west of Main Street, north of St. Louis Avenue subject to the following condition.

1. A Drainage and Utility Easement is maintained over the alley.

**PLANNING COMMISSION VACANCY**

**MOTION:** Councilor Bailey moved and Councilor Rock seconded the motion to proceed with the advertising process for filling the vacancy on the Planning Commission due to the resignation of Bryan Bosto. The motion carried unanimously (7-0).

**SUMMER TAKE HOME VEHICLE FOR ENGINEERING TECHNICIAN**

**MOTION:** Councilor Rock moved and Councilor Bailey seconded the motion to approve Barb Wyman's use of a City vehicle for travel to and from work for a period beginning May 17, 2017 and ending October 31, 2017. The motion carried unanimously (7-0).



**DISPOSAL OF PUBLIC WORKS SURPLUS EQUIPMENT**

**MOTION:** Councilor Kolodge moved and Councilor Maki seconded the motion to authorize the sale of a 1996 Chevrolet K-1500 4x4 Pick-up as surplus equipment. The motion carried unanimously (7-0).

**PARK IMPROVEMENTS CHANGE ORDER REQUEST**

**MOTION:** Councilor Bjerkness moved and Councilor Rock seconded the motion to approve Change Order #4 to City Contract 1063 for 2016 Park Improvements at Fauley and Veterans Parks. The motion carried unanimously (7-0).

**SEWER LINING CHANGE ORDER REQUEST**

**MOTION:** Councilor Bailey moved and Councilor Langley seconded the motion to approve Change Orders #1 and #2 to City Contract 1073 for the 2017 Sewer Lining Project. The motion carried unanimously (7-0).

**LAKE SUPERIOR WATERLINE PUMP #6 REBUILD**

**MOTION:** Councilor Rock moved and Councilor Kolodge seconded the motion to authorize the purchase of a new bowl assembly from Van Bergen & Markson, Inc. for the rebuild at Pump #6 in the amount of \$38,173.75. The motion carried unanimously (7-0).

**RESERVATION ROAD RIGHT-OF-WAY TRANSFER AGREEMENT**

**MOTION:** Councilor Maki moved and Councilor Langley seconded the motion to enter into the Right-of-Way Transfer Agreement with Carlton County and the Fond du Lac Band of Lake Superior Chippewa. The motion carried unanimously (7-0).

**PUBLIC COMMENTS**

- Steve Woollette, 441 8<sup>th</sup> Street, addressed the Council in regards to the decision to hire Mr. Palmer as Interim Chief of Police while over-looking others that have more experience and schooling.

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

Mayor Hallback announced the time is 7:47 p.m. and the Council will now go into Closed Session in the Council Chambers.

Mayor Hallback reopened the Regular Meeting at 10:40 p.m. and 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**

1307 Cloquet Avenue • Cloquet, MN 55720  
Phone: 218-879-3347 • Fax: 218-879-6555  
email: admin@ci.cloquet.mn.us  
www.ci.cloquet.mn.us

**REQUEST FOR COUNCIL ACTION**

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator  
Date: May 31, 2017

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**ITEM DESCRIPTION:** Approval of Liquor and Related Business License Renewals

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**Proposed Action**

Staff recommends the City Council move to renew the various liquor and business licenses identified on the attached 2017-2018 license renewal list subject to submittal of all licensing requirements.

**Background/Overview**

The State of Minnesota requires that businesses licensed to sell liquor renew their various licenses each year. In Cloquet, such licenses expire on June 30<sup>th</sup> of each year. These renewals are required to be submitted to the State 30 days prior to their expiration for review and final approval.

**Are there any significant license change requests?**

There are no significant license changes requested with any of our renewals this year.

**Policy Objectives**

Approval of license renewals are required in Chapter 6 of Municipal Code and State law.

**Financial Impacts**

The City's fee schedule requires each license holder to pay set fees for each renewal. The total fees received by the City for alcohol licenses are required to be consistent with the level of service to administer and enforce local liquor laws.

**Advisory Committee/Commission Action**

None.

**Supporting Documentation Attached**

- 2017-2018 License Renewal List







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**REQUEST FOR COUNCIL ACTION**

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator  
Date: May 31, 2017

---

**ITEM DESCRIPTION:** Moose Lodge Optional Liquor 2AM License Renewal

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**Proposed Action**

Staff recommends that the City Council move to approve the renewal of the Optional 2AM liquor license for the LOOM Lodge 1274 (Moose Lodge), 702 Cloquet Avenue.

**Background/Overview**

The City currently has three establishments licensed under the Optional 2AM liquor license. The license is actually issued by the State, but the City must approve the license. Moose Lodge has held an Optional 2AM license since 2014.

There have been no public safety issues at the Moose Lodge associated with the 2AM license that staff is aware.

**Policy Objectives**

M.S. 340A.504, Subd. 7 allows for the sale of intoxicating liquor between the hours of 1:00 a.m. and 2:00 a.m. Section 6.2.10, Subd. 4 of Municipal Code also addresses the sale between these hours.

**Financial/Budget/Grant Considerations**

Currently the City charges no local fees for this license. The fee is based strictly upon the statutory obligations.

**Advisory Committee/Commission Action**

None.

**Supporting Documentation Attached**

- Optional 2AM Application





Renewal Application for Optional Liquor 2AM License

License Type: 2AM-100K

Expires On: June 5, 2017

ID Number: 41270

DBA

LOOM Lodge 1274  
Moose Lodge  
702 Cloquet Ave  
Cloquet MN 55720

Business Phone: 2188798423

If any of the above licensee information is not correct, please make corrections as necessary.

Licensee must report previous 12 month on sale alcoholic beverage gross receipts by checking one of the boxes below. Next to the box you check is your 2 AM license fee. Make check payable to: Alcohol and Gambling Enforcement Division (AGED). Mail this application and check to: AGED, 445 Minnesota St., Suite 222, St. Paul, MN 55101-5133.

- \$300 2 AM license fee - Up to \$100,000 in on sale gross receipts for alcoholic beverages
- \$750 2 AM license fee - Over \$100,000, but not over \$500,000 in on sale gross receipts for alcoholic beverages
- \$1000 2 AM license fee - Over \$500,000 in on sale gross receipts for alcoholic beverages
- \$200 2 AM license fee - 3.2% On Sale Malt Liquor licensees or Set Up license holders
- \$200 2 AM license fee - Did not sell alcoholic beverages for a full 12 months prior to this application

Yes  No Does the city or county that issues your liquor license allow the sale of alcoholic beverages until 2 AM?

City Clerk/County Auditor Signature \_\_\_\_\_ Date \_\_\_\_\_

(I certify that the city or county of Carleton approves the sale of alcoholic beverages until 2AM)

Licensee Signature [Signature] Date 5/17/17

(I certify that I have answered the above questions truthfully and correctly)

Licensee Minnesota Tax ID Number (Required): 8115023

Licensee: Prior to submitting this application to the Alcohol & Gambling Enforcement Division you must have this form signed by your local city or county licensing official

Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division (AGED)  
445 Minnesota Street, Suite 222, St. Paul, MN 55101-5133  
Telephone 651-201-7500 Fax 651-297-5259 TTY 651-282-6555  
dps.mn.gov




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**REQUEST FOR COUNCIL ACTION**

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator   
Date: May 31, 2017

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**ITEM DESCRIPTION:** Transient Merchant License for Fireworks Sales

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**Proposed Action**

Staff recommends that the City Council move to approve the Peddlers, Solicitors, & Transient Merchants License for Gerald Breyer, dba Generous Jerry's Fireworks Inc., to sell fireworks at Super One Foods, 707 Highway 33 South, from June 24 - July 6, 2017 and identify the hours of sale subject to submittal of all licensing requirements and completion of background check.

**Background/Overview**

The City has received an application from Gerald Breyer, dba Generous Jerry's Fireworks Inc. for a Peddlers, Solicitors, & Transient Merchants license seeking approval to sell fireworks from June 24 - July 6, 2017 at Super One Foods, 707 Hwy 33 South.

Generous Jerry's has been licensed to sell fireworks in Cloquet since State law was amended to allow for such sales in 2006. The City has received no complaints regarding the operation during this timeframe.

Section 6.6.08, Subd. 1(B) of City Code restricts sales to 8:00 am to 8:00 pm. The City Council has previously authorized the applicant in past years to sell until 10:00 pm. Staff would suggest that the Council either follow Code or in the case of fireworks sales limit it to the previously established precedent of 10:00 pm.

**Policy Objectives**

Section 6.6 of the Municipal Code requires the regulation of peddlers, solicitors, and transient merchants. The purpose of such licensing is to regulate the potential nuisance and public safety issues which sometimes relate to such operations. The City does not have a separate licensing requirement for retail fireworks sales, though it may wish to do so in the future.

**Financial/Budget/Grant Considerations**

The applicant has submitted the appropriate license fee associated with this license. There is no other direct cost to the City.

**Advisory Committee/Commission Action**

None.

**Supporting Documentation Attached**

- Application





CITY ADMINISTRATOR'S OFFICE

1307 Cloquet Avenue, Cloquet MN 55720

Phone: 218-879-3347 Fax: 218-879-6555

www.ci.cloquet.mn.us

email: admin@ci.cloquet.mn.us

Application for License Regulating Peddlers, Solicitors, & Transient Merchants

This application, all required documentation and fees must be submitted by any person desiring to obtain a Peddlers, Solicitors & Transient Merchant license within the City of Cloquet, MN.

INDIVIDUAL SUBMITTING APPLICATION:

Name: Gerald Francis Breyer
First Full Middle Name Last

Applicant Current Address: Grand Forks ND 58201
City, State, Zip: 701-746-9950

Home Phone Work Phone Cell Phone
E-Mail Address: Generousone@Midconetwork.com

Date of Birth: 10-12 Place of Birth: Wales ND

Social Security #: Drivers License #: State: ND

Eye Color: Blue-green Hair Color: gray Height: 5' 10 Weight: 235

BUSINESS/ORGANIZATION INFORMATION:

Business or Organization Name: Generous Service Fireworks

Address:

Mailing Address (if different from above): Grand Forks, ND 58201

Phone No.: Alternate Number:

LOCATION WHERE PROPOSED SALES WILL BE MADE:

Business/Organization Name: Superone Cloquet

Address: Parking lot, Hwy 33 So.

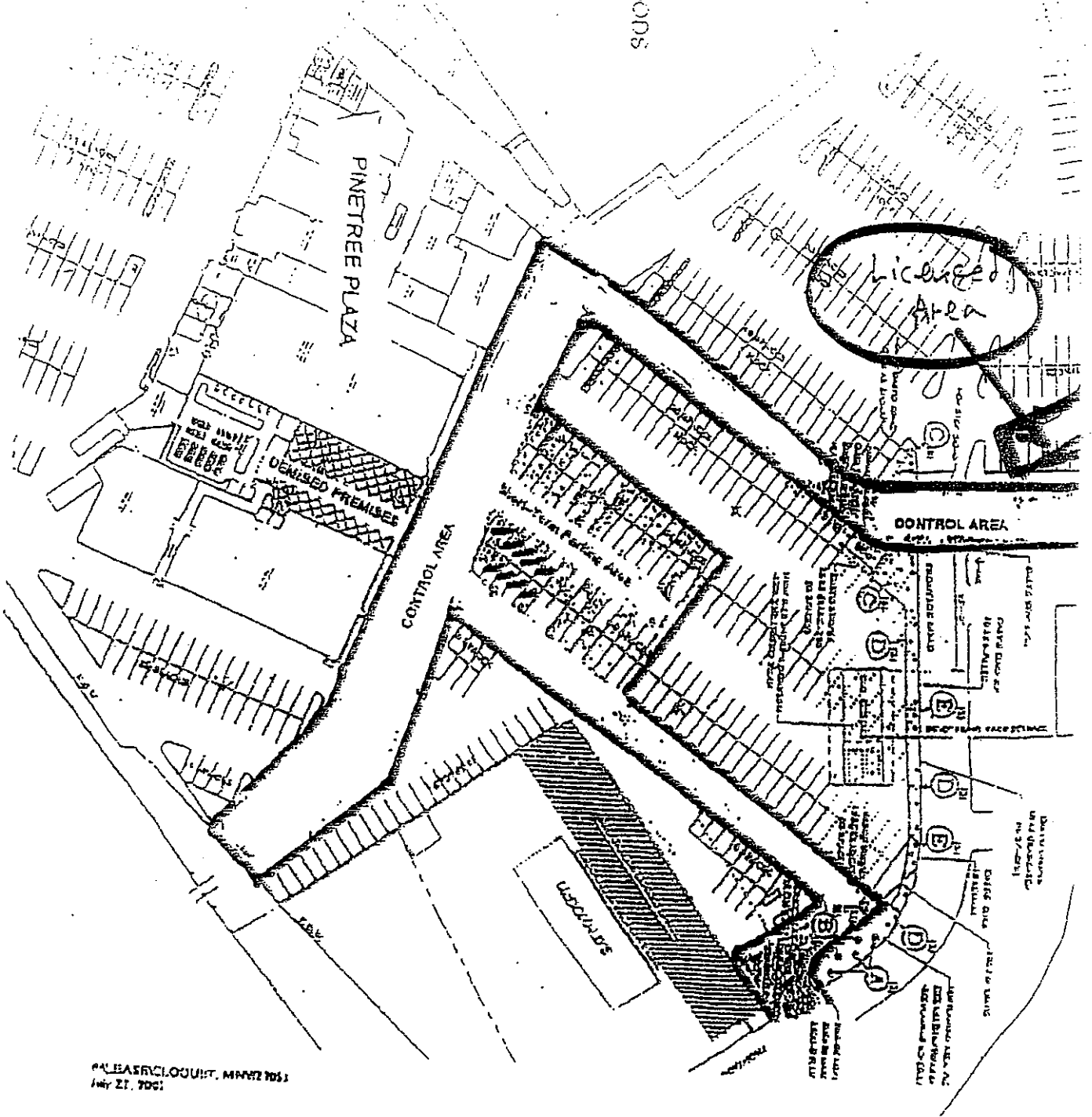
Local Phone Number: Permanent Phone Number: 701-775-1106

THE LENGTH OF TIME FOR SALES OR SOLICITING AND HOURS DURING WHICH BUSINESS WILL BE CONDUCTED:

Beginning Date: June 24, 2017 Ending Date: July 6, 2017

Hours during which business will be conducted: 9AM - 10PM

CLARKE SUPER MARKET FOODS



PALEANTROLOGIST, MNVZ 1051  
July 21, 1961

Clarke Super Inc



## SHORT-TERM LICENSE AGREEMENT

Agreement between Miner's Incorporated of 5065 Miller Trunk Highway, Hermantown, MN 55811 (Miner's), and Generous Jerry's Fireworks, Inc. of 519 22nd Avenue South, Grand Forks, ND 58201 (Licensee), made as of April 24, 2017.

1. **Agreement to License use of Premises.** Miner's agrees to license to Licensee the right to use certain premises in Miner's possession on the terms and conditions stated in this License.

2. **Premises.** The premises licensed are located at Miner's following store locations and the location of the licensed area at each store is shown on the map attached hereto as **Exhibit A** (Premises):

Cloquet Super One Foods  
Pine Tree Plaza  
707 Hwy. 33 South  
Cloquet, MN 55720

Virginia Super One Foods  
1111 17<sup>th</sup> Street South  
Virginia, MN 55792

Licensee's on-site structure (single tent and any other enclosure) may not exceed a total of 1,600 square feet.

3. **Term.** The term of this License begins on June 24, 2017 and ends on July 5, 2017 (Term).

4. **Compensation.** Licensee shall pay Miner's at Miner's address stated above (or at such other address as Miner's may require) the greater of a nonrefundable license fee of [REDACTED] per location or [REDACTED] combined sales over [REDACTED] excluding sales tax, payable as follows:

a. Licensee will pay Miner's, without demand, on execution of this Agreement the sum of [REDACTED] at Miner's address stated above (or at such other address as Miner's may require); and

b. the balance of the license fee shall be paid by Licensee on or before July 11, 2017.

5. **Use of Premises.** The Premises may be used for the retail sale of Minnesota legal fireworks (Class C) and related novelty items only. Miner's grants permission to Licensee to locate a temporary stand, kiosk, or tent on the Premises from which to sell its products. Licensee shall not permit any unlawful practice or activity to be carried on in the Premises; make any use of or allow the Premises to be used for any purpose that might invalidate or increase the rate of insurance thereof; create any nuisance or injure the reputation of Miner's; commit or suffer waste; permit any use prohibited by a zoning or building restriction; permit the use of radios, loudspeakers or other devices that can be heard outside the Premises; or place or erect any sign of any size, design and character which is visible outside premises without first receiving Miner's approval. Licensee's activities shall at all times conform to all state and local ordinances and licensing requirements. Licensee shall be responsible for the cost of procuring any state or local licenses required for the sale of its products.

6. **Condition of the Premises.** Prior to commencing operations, Licensee will inspect the Premises and unless Licensee delivers written notice to Licensor within 24 hours of the commencement date of this License to the contrary, Licensee shall be deemed to have acknowledged that the Premises are clean and in good order and repair, and Licensee accepts the Premises "as is."

7. **Cleaning and Repairs.** Licensee must keep the Premises clean and in good order and repair. In the event of a default by Licensee, Miner's may cause the Premises to be cleaned and make



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**REQUEST FOR COUNCIL ACTION**

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator  
Date: May 23, 2017

A handwritten signature in blue ink, appearing to read "James Barclay", is written over the name in the distribution list.

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**ITEM DESCRIPTION:** VFW Post 3979 Bingo at Veteran's Park

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**Proposed Action**

Staff recommends the City Council move to adopt **RESOLUTION NO. 17-50, A RESOLUTION APPROVING A PERMIT FOR THE VFW POST 3979 TO CONDUCT OFF-SITE BINGO AT VETERAN'S PARK.**

**Background/Overview**

The City has received an application from the VFW Post 3979, 210 Arch Street, for a bingo event to be held on July 4, 2017, at Veteran's Park as part of the community's 4th of July celebration.

Normally, the City is only required to approve an exempt permit to conduct a bingo event. Due to the event being held off-site, the City must instead approve an application to conduct off-site gambling. There are no legal issues related to off-site bingo that staff is aware.

**Policy Objectives**

Approval of application by local community is required under MN Statutes. Since they are a licensed organization they are required to complete the LG230 form as submitted.

**Financial/Budget/Grant Considerations**

There is no cost to the City regarding the approval of the application nor does the City retain any fees for its consideration.

**Advisory Committee/Commission Action**

None.

**Supporting Documentation Attached**

- Resolution No. 17-50
- LG230 Application to Conduct Off-Site Gambling



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

**RESOLUTION NO. 17-50**

**A RESOLUTION APPROVING PERMIT FOR THE VFW POST 3979  
TO CONDUCT OFF-SITE BINGO AT VETERAN'S PARK**

**WHEREAS,** The City of Cloquet received an application from the VFW Post 3979, 210 Arch Street, for a Permit to conduct a bingo event off-site on July 4, 2017 at Veteran's Park.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA,** That the City Council has reviewed the application of the VFW Post 3979, 210 Arch Street, for a Permit to conduct a bingo event off-site on July 4, 2017 at Veteran's Park, and has no objection to the Minnesota Gambling Control Board's issuance of such permit.

**BE IT FURTHER RESOLVED,** That the Cloquet City Council hereby waives the normally required thirty day waiting period for the issuance of said permit.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET  
THIS 6<sup>th</sup> DAY OF JUNE, 2017.**

---

Dave Hallback, Mayor

ATTEST:

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James Barclay, Interim City Administrator

**LG230 Application to Conduct Off-Site Gambling**

**No Fee**

**ORGANIZATION INFORMATION**

Organization Name: VFW Post 3979 License Number: 00422

Address: 210 Arch Street City: Cloquet, MN Zip: 55720

Gambling Manager Name: Richard Chasse Sr Daytime Phone: 218-428-4503

Chief Executive Officer (CEO) Name: Aaron Johnson Daytime Phone: 218-205-7907

**GAMBLING ACTIVITY**

Twelve off-site events are allowed each calendar year not to exceed a total of 36 days.

From 7 / 4 / 17 to 7 / 4 / 17

Check the type of games that will be conducted:

Raffle     Pull-Tabs     Bingo     Tipboards     Paddlewheel

**GAMBLING PREMISES**

Name of location where gambling activity will be conducted: Veterans Park

Street address and City (or township): Intersection of Hwy 33 and Hwy 45, Cloquet Zip: 55720 County: Carlton

- Do not use a post office box.
- If no street address, write in road designations (example: 3 miles east of Hwy. 63 on County Road 42).

Does your organization own the gambling premises?

**Yes** If yes, a lease is not required.

**No** If no, the lease agreement below must be completed, and signed by the lessor.

**LEASE AGREEMENT FOR OFF-SITE ACTIVITY (a lease agreement is not required for raffles)**

Rent to be paid for the leased area: \$ 0.00 (if none, write "0")

All obligations and agreements between the organization and the lessor are listed below or attached.

- Any attachments must be dated and signed by both the lessor and lessee.
- This lease and any attachments is the total and only agreement between the lessor and the organization conducting lawful gambling activities.
- Other terms, if any:

N/A

\_\_\_\_\_

\_\_\_\_\_

Lessor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Lessor's Name: \_\_\_\_\_



**Acknowledgment by Local Unit of Government: Approval by Resolution**

CITY APPROVAL for a gambling premises located within city limits	COUNTY APPROVAL for a gambling premises located in a township
City Name: _____	County Name: _____
Date Approved by City Council: _____	Date Approved by County Board: _____
Resolution Number: _____ (If none, attach meeting minutes.)	Resolution Number: _____ (If none, attach meeting minutes.)
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date Signed: _____	Title: _____ Date Signed: _____
<p><b>Local unit of government must sign.</b></p>	<p><b>TOWNSHIP NAME:</b> _____</p> <p><b>Complete below only if required by the county.</b> On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>Title: _____ Date Signed: _____</p>

**CHIEF EXECUTIVE OFFICER (CEO) ACKNOWLEDGMENT**

The person signing this application must be your organization's CEO and have their name on file with the Gambling Control Board. If the CEO has changed and the current CEO has not filed a LG200B Organization Officers Affidavit with the Gambling Control Board, he or she must do so at this time.

I have read this application, and all information is true, accurate, and complete and, if applicable, agree to the lease terms as stated in this application.

\_\_\_\_\_ Date \_\_\_\_\_

**Signature of CEO (must be CEO's signature; designee may not sign)**

<p><b>Mail or fax to:</b></p> <p>Minnesota Gambling Control Board Suite 300 South 1711 West County Road B Roseville, MN 55113 <b>Fax: 651-639-4032</b></p>	<p><b>No attachments required.</b></p> <p>Questions? Contact a Licensing Specialist at 651-539-1900.</p>
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This publication will be made available in alternative format (i.e. large print, braille) upon request.

<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application.</p> <p>Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public.</p>	<p>If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public.</p> <p>Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; commissioners of Administration, Minnesota Management &amp; Budget, and Revenue; Legislative Auditor; national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
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**ADMINISTRATIVE OFFICES**

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email: admin@ci.cloquet.mn.us  
www.ci.cloquet.mn.us

**REQUEST FOR COUNCIL ACTION**

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator  
Date: May 24, 2017

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**ITEM DESCRIPTION:** New Lawful Gambling Premise Permit Application for R.E.A.C.H., Inc. at NE BBQ & Smokehouse

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**Propose Action**

Staff recommends that the City Council move to adopt **RESOLUTION NO. 17-53, A RESOLUTION APPROVING NEW LAWFUL GAMBLING PREMISE PERMIT APPLICATION FOR R.E.A.C.H., INC.**

**Background**

The City has received a request from R.E.A.C.H., Inc. for a new premise permit for gambling at NE BBQ & Smokehouse, 7 - 8<sup>th</sup> Street.

No organization is permitted under City Code 6.7.03, Subd. 3(c) to have more than three (3) permitted establishments. This is the only location that R.E.A.C.H. is permitted to operate charitable gambling in the community. They have held three (3) previous permits with different establishments at this location.

**Policy Objectives**

Approval of application by local community is required under MN Statutes.

**Financial Impacts**

The City does not charge a fee for the permit. Per Section 6.7.03, Subd. 1(b) of the Municipal Code, ten percent (10%) of the net profits from the operation of gambling equipment in the City by charitable organizations shall be donated to the City.

**Advisory Committee/Commission Action**

None.

**Supporting Documents Attached**

- Resolution No. 17-53
- LG214 & LG215 Lease for Lawful Gambling Activity Forms



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

**RESOLUTION NO. 17-53**

**A RESOLUTION APPROVING NEW LAWFUL GAMBLING  
PREMISE PERMIT APPLICATION FOR  
R.E.A.C.H., INC.**

**WHEREAS**, The City of Cloquet has received a request from the R.E.A.C.H., Inc. for a new premise permit for gambling at NE BBQ and Smokehouse, 7 – 8<sup>th</sup> Street.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA**, That the City Council has reviewed the application of R.E.A.C.H., Inc. seeking approval of a new Lawful Gambling Premise Permit at NE BBQ and Smokehouse, 7 – 8<sup>th</sup> Street, and has no objection to the Minnesota Gambling Control Board's issuance of such permit.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET  
THIS 2<sup>ND</sup> DAY OF MAY, 2017.**

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

ATTEST:

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

**LG214 Premises Permit Application****Annual Fee \$150 (NON-REFUNDABLE)****REQUIRED ATTACHMENTS TO LG214**

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

**Mail the application and required attachments to:**

Minnesota Gambling Control Board  
 1711 West County Road B, Suite 300 South  
 Roseville, MN 55113

**Questions?** Call 651-539-1900 and ask for Licensing.**ORGANIZATION INFORMATION**Organization Name: R.E.A.C.H., INC.License Number: 36413Chief Executive Officer (CEO) DAKOTA KOSKIDaytime Phone: 218-499-4293Gambling Manager: Jennifer GrahamDaytime Phone: 218-390-4499**GAMBLING PREMISES INFORMATION**Current name of site where gambling will be conducted: N.E. BBQ & Smokehouse

List any previous names for this location:

CHEERS SPORTS BAR & GRILLCRUSHASYLUMStreet address where premises is located: 7 8TH STREET

(Do not use a P.O. box number or mailing address.)

City: **OR** Township:

County:

Zip Code:

CLOQUETCARLTON55720

Does your organization own the building where the gambling will be conducted?

Yes

No

If no, attach LG215 Lease for Lawful Gambling Activity.

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site?

Yes

No

Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site?

Yes

No

Don't know

**GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA**Bank Name: NORTHWOODS CREDIT UNIONBank Account Number: 13756Bank Street Address: 1702 AVENUE BCity: CLOQUETState: MNZip Code: 55720**ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES**

Address (Do not use a P.O. box number):

City:

State: Zip Code:

MNMNMN



**ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION**

<b>CITY APPROVAL</b> for a gambling premises located within city limits	<b>COUNTY APPROVAL</b> for a gambling premises located in a township
City Name: <u>CLOQUET</u>	County Name: _____
Date Approved by City Council: _____	Date Approved by County Board: _____
Resolution Number: _____ (If none, attach meeting minutes.)	Resolution Number: _____ (If none, attach meeting minutes.)
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: _____ Date Signed: _____	Title: _____ Date Signed: _____
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: auto;"> <b>Local unit of government must sign.</b> </div>	TOWNSHIP NAME: _____  <b>Complete below only if required by the county.</b> On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)  Print Township Name: _____  Signature of Township Officer: _____  Title: _____ Date Signed: _____

**ACKNOWLEDGMENT AND OATH**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.</li> <li>2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.</li> <li>3. I have read this application and all information submitted to the Board is true, accurate, and complete.</li> <li>4. All required information has been fully disclosed.</li> <li>5. I am the chief executive officer of the organization.</li> </ol> | <ol style="list-style-type: none"> <li>6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.</li> <li>7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.</li> <li>8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.</li> <li>9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.</li> <li>10. I understand the fee is non-refundable regardless of license approval/denial.</li> </ol> |
|--|---|

_____ <b>Signature of Chief Executive Officer (designee may not sign)</b>	<u>5-16-17</u> _____ Date
--	---------------------------------

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public	information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;	Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.
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**LG215 Lease for Lawful Gambling Activity**

**LEASE INFORMATION**

Organization: R.E.A.C.H., INC.	License/Site Number: 36413	Daytime Phone: 218-499-4293
Address: 1214 1/2 CLOQUET AVE PO BOX 428	City: CLOQUET	State: Zip: MN 55720
Name of Leased Premises: N.E. BBQ & SMOKEHOUSE	Street Address: 7 8TH STREET	
City: CLOQUET	State: Zip: MN 55720	Daytime Phone: 302-650-2004
Name of Legal Owner: ELISE HERMANN	Business/Street Address: 7 8TH ST	
City: CLOQUET	State: Zip: MN 55720	Daytime Phone:
Name of Lessor (if same as legal owner, write "SAME"): SAME	Address:	
City:	State: Zip:	Daytime Phone:

Check applicable item:

**New or amended lease.** Effective date: \_\_\_\_\_ . Submit changes at least ten days **before** the effective date of the change.

**New owner.** Effective date: \_\_\_\_\_ . Submit new lease **within** ten days after new lessor assumes ownership.

**CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)**

<input checked="" type="checkbox"/> Pull-Tabs (paper)	<input checked="" type="checkbox"/> Electronic Pull-Tabs
<input checked="" type="checkbox"/> Pull-Tabs (paper) with dispensing device	<input checked="" type="checkbox"/> Electronic Linked Bingo
<input type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo	Electronic games may only be conducted:
<input checked="" type="checkbox"/> Tipboards	1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or
<input checked="" type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table	2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100.

**PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)**

**BOOTH OPERATION:** Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

**ALL GAMES, including electronic games:** Monthly rent to be paid: \_\_\_\_\_%, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750**.
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

**BAR OPERATION:** All sales of gambling equipment conducted by the lessor or lessor's employee.

**ELECTRONIC GAMES:** Monthly rent to be paid: 15%, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

**ALL OTHER GAMES:** Monthly rent to be paid: 20%, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

**BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)**

Bingo rent is limited to one of the following:

- Rent to be paid: \_\_\_\_\_ %, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -
- Rate to be paid: \$ \_\_\_\_\_ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
  - ⇒ **Rent may not be paid for bar bingo.**
  - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

**LEASE TERMINATION CLAUSE (must be completed)**

The lease may be terminated by either party with a written 30 day notice. Other terms:



**LG215 Lease for Lawful Gambling Activity**

**Lease Term:** The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

**Management:** The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

**Participation as Players Prohibited:** The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

**Illegal Gambling:** The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

**Other Prohibitions:** The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

**Access to Permitted Premises:** Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

**Lessor Records:** The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

**Rent All-Inclusive:** Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

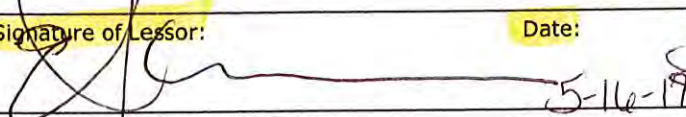
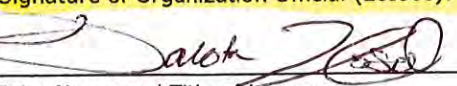
- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

**ACKNOWLEDGMENT OF LEASE TERMS**

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

**Other terms of the lease:**

Signature of Lessor: 	Date: 5-16-17	Signature of Organization Official (Lessee): 	Date: 5-16-17
Print Name and Title of Lessor: Elise Hermann - Owner	Print Name and Title of Lessee: Dakota Koski - CEO		

<p><b>Questions?</b> Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. <b>Data privacy notice:</b> The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.</p>	<p><b>Mail or fax lease to:</b>                  Minnesota Gambling Control Board                  1711 W. County Road B, Suite 300 South                  Roseville, MN 55113                  Fax: 651-639-4032</p>
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CLOQUET

**ADMINISTRATIVE OFFICES**

1307 Cloquet Avenue • Cloquet, MN 55720  
Phone: 218-879-3347 • Fax: 218-879-6555  
email: admin@ci.cloquet.mn.us  
www.ci.cloquet.mn.us

**REQUEST FOR COUNCIL ACTION**

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator  
Date: May 31, 2017

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**ITEM DESCRIPTION:** Approval of Bingo and Raffle Permit at Queen of Peace Parish

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**Proposed Action**

Staff recommends the City Council move to adopt **RESOLUTION NO. 17-55, A RESOLUTION APPROVING EXEMPT PERMIT TO CONDUCT A BINGO AND RAFFLE EVENT AT QUEEN OF PEACE PARISH.**

**Background/Overview**

The City has received an application from Queen of Peace Parish, 102 - 4th Street, for a bingo and raffle event to be held on July 22-23, 2017, at Queen of Peace Parish, 102 - 4th Street.

**Policy Objectives**

Approval of application by local community is required under MN Statutes.

**Financial/Budget/Grant Considerations**

There is no cost to the City regarding the approval of the application nor does the City retain any fees for its consideration.

**Advisory Committee/Commission Action**

None.

**Supporting Documentation Attached**

- Resolution No. 17-55
- LG220 Application for Exempt Permit

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

**RESOLUTION NO. 17-55**

**A RESOLUTION APPROVING EXEMPT PERMIT  
TO CONDUCT A RAFFLE EVENT  
AT QUEEN OF PEACE PARISH**

**WHEREAS**, The City of Cloquet received an application from Queen of Peace Parish, 102 - 4th Street, for an Exempt Permit to conduct a raffle event on July 22 and 23, 2017, at Queen of Peace Parish, 102 - 4th Street.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA**, That the City Council has reviewed the application of Queen of Peace Parish, 102 - 4th Street, for an Exempt Permit to conduct a bingo and raffle event on July 22 and 23, 2017, at Queen of Peace Parish, 102 - 4th Street, and has no objection to the Minnesota Gambling Control Board's issuance of such permit.

**BE IT FURTHER RESOLVED**, That the Cloquet City Council hereby waives the normally required thirty day waiting period for the issuance of said permit.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET  
THIS 6TH DAY OF JUNE, 2017.**

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

ATTEST:

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



MINNESOTA LAWFUL GAMBLING  
**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: Queen of Peace Parish Previous Gambling Permit Number: X-04657-17-024

Minnesota Tax ID Number, if any: 2976131 Federal Employer ID Number (FEIN), if any: 41-0721655

Mailing Address: 102 4<sup>th</sup> St

City: Cloquet State: MN Zip: 55720 County: Carlton

Name of Chief Executive Officer (CEO): FR Justin Fish

Daytime Phone: 218 879 6793 Email: \_\_\_\_\_

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

- Fraternal  Religious  Veterans  Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- A current calendar year Certificate of Good Standing**  
 Don't have a copy? Obtain this certificate from:  
 MN Secretary of State, Business Services Division      Secretary of State website, phone numbers:  
 60 Empire Drive, Suite 100      [www.sos.state.mn.us](http://www.sos.state.mn.us)  
 St. Paul, MN 55103      651-296-2803, or toll free 1-877-551-6767
- IRS income tax exemption (501(c)) letter in your organization's name**  
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**  
 If your organization falls under a parent organization, attach copies of both of the following:  
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and  
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Queen of Peace Parish

Address (do not use P.O. box): Same

City or Township: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Date(s) of activity (for raffles, indicate the date of the drawing): July 22 + July 23

Check each type of gambling activity that your organization will conduct:

Bingo\*  Paddlewheels\*  Pull-Tabs\*  Tipboards\*

Raffle (total value of raffle prizes awarded for the calendar year: \$ \_\_\_\_\_)

\* **Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [www.mn.gov/gcb](http://www.mn.gov/gcb) and click on **Distributors** under **List of Licensees**, or call 651-539-1900.

**LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)**

**CITY APPROVAL  
for a gambling premises  
located within city limits**

\_\_\_ The application is acknowledged with no waiting period.  
 \_\_\_ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).  
 \_\_\_ The application is denied.

Print City Name: \_\_\_\_\_

Signature of City Personnel: \_\_\_\_\_

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

**The city or county must sign before submitting application to the Gambling Control Board.**

**COUNTY APPROVAL  
for a gambling premises  
located in a township**

\_\_\_ The application is acknowledged with no waiting period.  
 \_\_\_ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.  
 \_\_\_ The application is denied.

Print County Name: \_\_\_\_\_

Signature of County Personnel: \_\_\_\_\_

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

**TOWNSHIP (if required by the county)**  
 On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

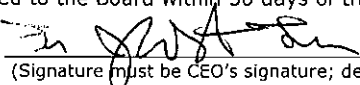
Print Township Name: \_\_\_\_\_

Signature of Township Officer: \_\_\_\_\_

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

**CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)**

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: 5-31-17  
 (Signature must be CEO's signature; designee may not sign)

Print Name: Father Justin Fish

**REQUIREMENTS**

**Complete a separate application for:**

- all gambling conducted on two or more consecutive days, or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

**Financial report to be completed within 30 days after the gambling activity is done:**  
 A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

**MAIL APPLICATION AND ATTACHMENTS**

**Mail application with:**

\_\_\_ a copy of your proof of nonprofit status, and  
 \_\_\_ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

**To:** Minnesota Gambling Control Board  
 1711 West County Road B, Suite 300 South  
 Roseville, MN 55113

**Questions?**  
 Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

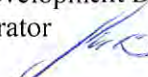


**Community Development Department**  
1307 Cloquet Avenue • Cloquet MN 55720  
Phone: 218-879-2507 • Fax: 218-879-6555  
[www.ci.cloquet.mn.us](http://www.ci.cloquet.mn.us)

## REQUEST FOR ACTION

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To: Mayor and Cloquet City Council  
From: Holly Hansen, Community Development Director  
Reviewed By: James Barclay, City Administrator  
Date: May 26, 2017



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**ITEM DESCRIPTION:** Cloquet Business and Community Marketing Strategy Final Report

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### **Proposed Action**

Staff recommends the Council move to accept the final Cloquet Business and Community Marketing Strategy report completed by Ady Advantage.

### **Background/Overview**

Ady Advantage attended the April 18, 2017 Council Work Session to review recommendations contained in the Cloquet Business and Community Marketing Strategy. At the May EDA meeting, Ashley Scray of Ady Advantage joined the meeting via telephone to review each report recommendation in detail in addition with next steps of project implementation (report pages 199-216, full report online [www.ci.cloquet.mn.us](http://www.ci.cloquet.mn.us)).

Section 8 of the report details the key project recommendations. You'll note they are organized first by strategies and then as a plan. Summarizing the key categories and topics:

### **Strategies:**

- Alignment / Regionalism
  - a. PLAN
    - i. Articulate roles and responsibilities of each regional partner to help avoid duplication of efforts, identify gaps, and reach consensus on project coordination protocols.
    - ii. Maintain and strengthen relationships with economic development partners including Apex, Northspan, DEED, Entrepreneur Fund, Mn Marketing Partnership, Carlton County, FDL Reservation, UMD CED, Northland Foundation etc.
      - *While Facebook is a strong internal marketing tool, the City needs external tools such as a Cloquet LinkedIn Page, Newsletter, to develop relevant regional articles in other newsletters such as APEX, Northspan Group, and to prepare local press releases on success stories.*
    - iii. Share positive business and economic development stories with businesses and residents to change negative perceptions, as well as create alignment.
    - iv. Increase the competitiveness of the Cloquet Business Park.





- c. "EXISTING BUSINESSES" PLAN
  - i. Initiate and lead a formal BRE program.
    - *Note recommendation to hold informational business regional/area/local resources meeting (Duluth just did one this spring).*
  - ii. Respond to inquiries for assistance from existing businesses.
  - iii. Stay up-to-date on news about your existing businesses, especially those that are headquartered elsewhere.
- d. "TARGET INDUSTRIES" PLAN
  - Agribusiness & Food Processing
    - i. Communicate the brand and the benefits of locating in Cloquet to prospective companies in the agribusiness and food processing industry.
      - *Note Ady Advantage will be preparing a target industry sheet for this sector as part of this project.*
  - Transportation & Distribution
    - i. Communicate the brand and the benefits of locating in Cloquet to prospective companies in the transportation and distribution industry.
      - *Note Ady Advantage will be preparing a target industry sheet for this sector as part of this project.*
  - Value-Added Forestry Products
    - i. Communicate the brand and the benefits of locating in Cloquet to prospective companies in the value-added forestry products industry.
  - Component Manufacturing
    - i. Communicate the brand and the benefits of locating in Cloquet to prospective companies in the component manufacturing industry.

### **Policy Objectives**

Policy objectives related to this marketing project are rooted in the 2017 Cloquet EDA Goals, specifically Goals 2, 4, and 5: Goal #2, Develop the Cloquet Business Park; Goal #4, Develop Business and Community Marketing Program; Goal #5, Business Retention, Expansion (BRE) and Attraction.

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

None.

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

At their May 3, 2017 meeting, the Cloquet EDA recommended to the City Council that they formally accept the report.

### **Supporting Documentation Attached**

- Section 8: Report Recommendations Business Community Marketing Strategy  
(View the full report [www.ci.cloquet.mn.us](http://www.ci.cloquet.mn.us))

SECTION 8: BUSINESS AND COMMUNITY MARKETING STRATEGY





# Business and Community Marketing Strategies

## Introduction

Within this section are the main strategies for Cloquet, organized by three key categories that should be addressed in this general order: alignment/regionalism, product readiness, and marketing. Strategies are defined as items necessary to fulfill one or several of the five marketing goals. They are more detailed than goals but not as detailed as specific tasks. The marketing strategies will be broken down into the following target audiences, as marketing messages and tactics will differ for each.

### Audiences:

- All audiences: There will be a number of marketing tactics that will be applicable to use for all audiences.
- Partners: Key partners of Cloquet include Carlton County, Cloquet Chamber of Commerce, APEX, Fond du Lac Band, other regional organizations, etc. There will be direct outreach and coordination with this audience.
- Existing businesses: This group includes major industrial companies in the city, as well as other large employers.
- Target industries:
  - Agribusiness/food processing: Attract companies that would benefit from a base to serve regional markets in Minnesota, Wisconsin, North Dakota, South Dakota, Ontario, Manitoba, etc.
  - Transportation and distribution: Start with distribution. Search for opportunities to build on this base with assembly and/or manufacturing. Identify regional companies that may need more room for distribution. There may also be a strategy around foreign direct investment.
  - Value-added forestry products: Work with NRRI to determine value-added opportunities. Support existing companies in the region that are looking at value-added forestry.
  - Component manufacturing: Attract businesses that can support regional OEMs and their supply chains, such as aerospace and ship building companies. Get regional companies to enter into supply chain databases to help them grow.

As you will see on the following pages, each of the strategies has a specific effect on one or multiple goals; however the effect the strategy has on the particular goal varies from primary effect to direct effect to indirect effect.

# Business and Community Marketing Strategies

## Key Performance Indicators

Key performance indicators are specific criteria identified that are designed to measure the success or progress of the economic development growth plan. Therefore these indicators are measurable, based off of the goals determined by the City of Cloquet, and can be realistically improved upon over time based on specific actions outlined within the strategic plan. These are divided into those over which the City of Cloquet has direct control, and those outcomes in the city that its efforts are intended to ameliorate.

The City of Cloquet's key performance indicators include:

- Number of BRE interviews conducted annually
- Sites available for investment and competitive for desired uses
- Success of specific programs in which the City played a pertinent support role (education, training, capital, etc.)
- Time required and business-friendliness to get through public approvals for incentives provided to companies investing in Cloquet
- Positive environmental regulatory certainty for business retention, expansion, and recruitment
- Cost competitive fiber access for businesses and residents
- Number of existing companies, jobs, and/or investment that was retained or grown due to the involvement of the City of Cloquet
- Number of projects for which the City provided project support or oversight (BRE or attraction)
- Number of RFI/RFPs received, number responded to, percent that result in a site visit, number of project wins

Success indicators in the Cloquet economy:

- Awareness and positive perception of Cloquet among stakeholders and residents
- Awareness and positive perception of Cloquet among decision makers and influencers
- Alignment among groups involved in the region's economic development – degree of coordination, information sharing, clarity of roles, etc.
- Level and percent increase in average wages
- Diversity and growth of employer base
- Employment retention/growth relative to index (i.e., whether Cloquet is maintaining or growing market share in a specific target industry at a level equal or above the national average)

# Business and Community Marketing Strategies

ALIGNMENT/REGIONALISM					
	Goals provided by the City of Cloquet				
Strategies	Recruit/attract new businesses.	Grow and retain existing businesses.	Differentiate Cloquet from other communities.	Convey a positive message about Cloquet.	Engage local stakeholders and partners to promote a unified message.
Articulate roles and responsibilities of each regional partner to help avoid duplication of efforts, identify gaps, and reach consensus on project coordination protocols.	X	XX		X	XXX
Maintain and strengthen relationships with economic development partners, including APEX, Carlton County, Fond du Lac Band, Northspan, Minnesota Marketing Partnership, DEED, etc.	X		XX	XX	XXX
Share positive business and economic development stories with local businesses and residents to change negative perceptions, as well as create alignment.		X	X	XXX	XXX

**XXX:** Primary effect on goal

**XX:** Direct effect on goal

**X:** Indirect effect on goal



# Business and Community Marketing Strategies

## PRODUCT READINESS

PRODUCT READINESS					
	Goals provided by the City of Cloquet				
Strategies	Recruit/attract new businesses.	Grow and retain existing businesses.	Differentiate Cloquet from other communities	Convey a positive message about Cloquet.	Engage local stakeholders and partners to promote a unified message.
Increase the competitiveness of the Cloquet Business Park.	XXX	X	XX		X
Ensure there is an adequate pipeline of sites, buildings and/or industrial parks that meet the needs of the target industries (as identified in this report). These sites should be shovel-ready.	XXX	X			X
Continue to support efforts to improve fiber infrastructure in the city and the Cloquet area.	XX	XXX	XX		XX
Continually improve the ease of doing business with the city, e.g. public approvals, regulatory, permitting, zoning, planning and related processes for new businesses.	XX	XX	XX		XX
Support and participate in regional talent strategies, entrepreneurship initiatives, etc., since workforce is a regional issue.	X	X			XXX
Summarize current local, regional and state incentives.	XXX	XX	X		X
Communicate the implications of stricter environmental regulations on future development to Fond du Lac Band.	XXX	XXX			XX

**XXX:** Primary effect on goal

**XX:** Direct effect on goal

**X:** Indirect effect on goal

# Business and Community Marketing Strategies

MARKETING					
	Goals provided by the City of Cloquet				
Strategies	Recruit/attract new businesses.	Grow and retain existing businesses.	Differentiate Cloquet from other communities	Convey a positive message about Cloquet.	Engage local stakeholders and partners to promote a unified message.
<b>ALL AUDIENCES</b>					
Communicate the brand and the benefits of locating in Cloquet to all audiences.	XXX	XX	XXX	XX	
Promote the Cloquet Business Park.	XX	XX	X	X	
<b>REGIONAL PARTNERS</b>					
Communicate the brand and the benefits of locating in Cloquet to regional groups, so that they can serve as advocates for the benefits of doing business in Cloquet.	XX		XXX	XXX	XX
Leverage the marketing activities of regional partners, such as APEX, the Duluth Seaway Port Authority, etc.	XXX		XX	XX	XX
<b>EXISTING BUSINESSES</b>					
Initiate and lead a formal BRE program.	X	XXX			
Continue to respond to inquiries for assistance from existing businesses.		XXX			
Stay up-to-date on news about your existing businesses, especially those that are headquartered elsewhere.		XXX			
<b>TARGET INDUSTRIES</b>					
Communicate the brand and the benefits of locating in Cloquet to prospective companies in Cloquet's target industries.	XXX	X	XXX	XX	

**XXX:** Primary effect on goal

**XX:** Direct effect on goal

**X:** Indirect effect on goal

# Business and Community Marketing Plan

## Introduction

The Business and Community Marketing Plan builds off of the same strategies found on the previous pages by including additional tasks identified to accomplish each strategy. Again, these strategies are key to achieving the City of Cloquet's goals. The following pages outlines the detailed plan to achieve Cloquet's goals. The strategies from the previous section are highlighted in gray in each of the tables, and then broken down further into actionable tactics.

Through various discussions and experience, we have determined the following for each task:

- Responsible party
- Priority
- Timeline
- Budget

These criteria will help determine which of these tasks should be accomplished first and who should be responsible for the completion of each.



# Business and Community Marketing Plan

Strategies
Tactics

ALIGNMENT / REGIONALISM				
	Responsible Party	Priority	Timeline	Budget
<b>Articulate roles and responsibilities of each regional partner to help avoid duplication of efforts, identify gaps, and reach consensus on project coordination protocols.</b>				
<b>Conduct a facilitated work session</b> to determine the roles and responsibilities of each organization. Topics should include incentives, marketing activities, lead coordination, talent strategies, positioning of the city within the region, BRE, MOU, etc.	All partners	High	Q2 2017	Low
<b>Maintain and strengthen relationships with economic development partners, including APEX, Carlton County, Fond du Lac Band, Northspan, Minnesota Marketing Partnership, DEED, etc.</b>				
<b>Communicate regularly with these partners</b> about economic development initiatives, business news and city successes through a new economic development website and LinkedIn page (see marketing tactics). The focus of the first newsletter could be on the completion of this project and some of the recommendations and next steps.	City of Cloquet	Medium	Ongoing - Quarterly	Low
<b>Share positive business and economic development stories with local businesses and residents to change negative perceptions, as well as create alignment.</b>				
<b>Create and maintain a list of local businesses and residents</b> who may be interested in economic development news in Cloquet, including via Facebook.	City of Cloquet	Medium	Q3 2017	Low
<b>Push out positive economic development news via website, LinkedIn and Facebook:</b> Not only to economic development partners, but also to local businesses and residents to share economic development news. Get news media on board, if possible.	City of Cloquet	Medium	Ongoing - Quarterly	Low

# Business and Community Marketing Plan

PRODUCT READINESS				
	Responsible Party	Priority	Timeline	Budget
<b>Increase the competitiveness of the Cloquet Business Park.</b>				
<b>Explore wayfaring and traffic solutions</b> to improve the actual and/or perceived access to the site.	City of Cloquet	High	Q3-Q4 2017	Medium
<b>Consider combining parcels for the sites and buildings databases.</b> This may help increase the searches in which the Cloquet Business Park shows up.	City of Cloquet	High	Q3 2017	Low
<b>Ensure there is an adequate pipeline of sites, buildings and/or industrial parks that meet the needs of the target industries (as identified in this report). These sites should be shovel-ready.</b>				
<b>Update sites and buildings database:</b> Ensure that all properties are listed in Northland Connection's sites and buildings database, as well as the state database. All listings should be current and complete. Links should be provided in the City's economic development website.	City of Cloquet	High	Ongoing	Low
<b>Identify all potential sites and buildings in Cloquet,</b> regardless of state of readiness, that could be developed/marketed in the future.	City of Cloquet	High	Q2 2017	Low
<b>Prioritize and prepare sites and buildings:</b> Determine which sites should be developed after the Cloquet Business Park and conduct the necessary activities to ensure that property is "ready" for development. If infrastructure needs exist, proactively engage necessary stakeholders.	City of Cloquet and partners	Medium	Ongoing	High
<b>Consider options for the city to gain control over prioritized sites/buildings:</b> (e.g., putting options on it, buying it, etc.)	City of Cloquet	Low	Ongoing	Medium to High
<b>Continue to support efforts to improve fiber infrastructure in the city and the county.</b>				
<b>Start conversations with Fond du Lac Band and the county:</b> To communicate the job and investment opportunities that exist if fiber was available more widely in the city.	City of Cloquet	High	Ongoing	Low
<b>Continue to look for grant opportunities regarding fiber; leverage potential opportunities with FDL, CTC, and/or others.</b>	City of Cloquet	High	Q3 2017	Low

# Business and Community Marketing Plan

## PRODUCT READINESS

	Responsible Party	Priority	Timeline	Budget
<b>Continually improve the ease of doing business with the city, e.g. public approvals, regulatory, permitting, zoning, planning and related processes for new businesses.</b>				
<b>Address issues brought up in BRE visits promptly.</b> Look to use this as a point of differentiation.	City of Cloquet	High	Ongoing	TBD
<b>Get pre-approvals on certain sites.</b> Use this as a marketing advantage to differentiate sites in Cloquet from other sites.	City of Cloquet	Medium	Q3-Q4 2017	Low
<b>Support and participate in regional talent strategies, entrepreneurship initiatives, etc., since workforce is a regional issue.</b>				
<b>Create a workforce committee with Cloquet businesses, area colleges and workforce center.</b> Meet bi-annually to discuss workforce topics.	City of Cloquet and partners	High	Bi-annually	Low
<b>Conduct a labor market assessment</b> to determine the underlying causes and extent of the talent issues in the region.	Regional group (APEX?)	Medium	Q3-Q4 2017	High
<b>Use the results from the labor market assessment</b> to identify regional talent strategies.	APEX and regional partners	Medium	2018	TBD
Unless a regional strategy dictates otherwise, Cloquet should work to <b>connect employers with students and graduates</b> , as well as educate high school students on career opportunities that exist in Cloquet.	City of Cloquet	Medium	Q3 2017	TBD
<b>Summarize current local, regional and state incentives.</b>				
<b>Conduct an incentives workshop</b> to determine what types of projects the city/county/region would incent and how.	City of Cloquet and Ady Advantage	Medium	Q4 2017	Low
<b>Create a sell sheet with details on incentives available at the city, county, regional and state level.</b> This can be used for existing and prospective companies. This information should be repurposed for the economic development website.	City of Cloquet and Ady Advantage	Medium	Q4 2017	Medium



# Business and Community Marketing Plan

PRODUCT READINESS				
	Responsible Party	Priority	Timeline	Budget
<b>Communicate the implications of stricter environmental regulations on future development to Fond du Lac Band.</b>				
<b>Conduct an impact analysis</b> showing the effects of a large area employer closing, as this could be a reality for some Cloquet companies if stricter environmental regulations are imposed.	Outside party	High	Q2 2017	Medium
<b>Meet with the appropriate person(s) at the reservation</b> and explain the impact and the implications that stricter environmental regulations would have on Cloquet's economy.	City of Cloquet	High	Q2 2017	Low

# Business and Community Marketing Plan

MARKETING – ALL AUDIENCES				
	Responsible Party	Priority	Timeline	Budget
<b>Communicate the brand and the benefits of locating in Cloquet to all audiences.</b>				
<b>Regional Profile:</b> Create a four-to-eight page brochure highlighting the benefits of doing business in Cloquet and the region. This will be the baseline marketing piece to be used with any audience, internal or external.	Ady Advantage	High	Q2 2017	Included
<b>Create a new economic development website:</b> To include the new positioning points for Cloquet. Website should also be updated with information from this report, such as target industries and other data.	City of Cloquet Ady Advantage	Medium	Q3-Q4 2017	High
<b>Promote the Cloquet Business Park.</b>				
<b>Continue to update sites and buildings databases:</b> With current information on the business park.	City of Cloquet	High	Q2 and Ongoing	Low
<b>Consider hiring a broker from the Twin Cities</b> to help sell lots in the Cloquet Business Park.	City of Cloquet	High	Q2 2017	Low
<b>Update the site brochure:</b> To include Cloquet’s positioning points from this research.	Ady Advantage	Medium	Q4 2017	Medium
<b>Distribute the site brochure during meeting with existing businesses:</b> First to existing companies in the region who may need more space to expand.	City of Cloquet	Medium	Q4 2017	Low to Medium

# Business and Community Marketing Plan

MARKETING – REGIONAL PARTNERS				
	Responsible Party	Priority	Timeline	Budget
<b>Communicate the brand and the benefits of locating in Cloquet to regional groups, so that they can serve as advocates for the benefits of doing business in Cloquet.</b>				
<b>Arm stakeholders with marketing materials:</b> Provide marketing materials and website link to all stakeholders. Encourage them to add the website link to their own website.	City of Cloquet	Medium	Q3 2017	Low
<b>Leverage the marketing activities of regional partners, such as APEX, the Duluth Seaway Port Authority, etc.</b>				
<b>Write an article about Cloquet:</b> For distribution in APEX's newsletter. Topics could include this project and next steps, a local employer success story, etc.	City of Cloquet	Medium	2018	Low
<b>Tradeshows:</b> Work with APEX to determine which tradeshows or industry events APEX is attending. For those that correspond with Cloquet's target industries, arm APEX with marketing materials about Cloquet, including target industry profiles (below). Consider attending some of these tradeshows with APEX, as budget allows.	City of Cloquet	Low	2018	Medium
<b>Site selector events:</b> Participate in APEX site selector events, whether that is a fam tour or an event where site selectors will be in attendance.	City of Cloquet	Low	2018	Medium



# Business and Community Marketing Plan

MARKETING – EXISTING BUSINESSES				
	Responsible Party	Priority	Timeline	Budget
<b>Initiate and lead a formal BRE program.</b>				
<b>Create a list of businesses to engage with:</b> This should include large and industrial companies.	City of Cloquet	High	Q2 2017	Low
<b>Formalize the process of conducting regular BRE visits to identified businesses:</b> Visit each company at least once per year.	City of Cloquet	High	Ongoing	Low
<b>Use the findings from the BRE visits:</b> To communicate local business needs involving workforce, fiber, and other regional issues to regional groups and educational institutions.	City of Cloquet	High	As needed	TBD
<b>Conduct a quarterly business summit:</b> To update them on what is going on in economic development, including available programs, success stories, etc. and figure out what their concerns are.	City of Cloquet	Medium	Q4 2017	Low
<b>Grow local manufacturers:</b> Identify partners that can help local manufacturers grow their own businesses. This could include services such as education, identifying new opportunities, talent development, etc.	City of Cloquet and partners	Medium	Q4 2017	Low
<b>Respond to inquiries for assistance from existing businesses.</b>				
<b>Continue to respond to businesses</b> in a timely, effective manner and direct them to the appropriate resource, as needed.	City of Cloquet	High	Ongoing	TBD
<b>Stay up-to-date on news about your existing businesses, especially those that are headquartered elsewhere.</b>				
<b>Google alerts:</b> Create Google alerts to capture key words related to your large, existing businesses. Use findings from these Google alerts to stay in communication with these companies and address issues as soon as identified.	City of Cloquet	Medium	Q3 2017	Low
<b>Build relationships with C-Suite:</b> Gain contacts for C-suite level people at Cloquet’s companies. Reach out to them at least once per year to gain insights into company needs.	City of Cloquet (and region?)	Medium	Q3 2017	Low

# Business and Community Marketing Plan

The following four pages related to recruitment in Cloquet’s target industries should be implemented after the issues identified on page 189 are addressed. Funds and efforts should be placed first on addressing those key issues before active recruitment is pursued.

MARKETING – AGRIBUSINESS AND FOOD PROCESSING				
	Responsible Party	Priority	Timeline	Budget
<b>Communicate the brand and the benefits of locating in Cloquet to prospective companies in the agribusiness and food processing industry.</b>				
<b>Track prospective companies via Google Alerts:</b> Set up Google alerts to capture key words and phrases related to the food processing industry and companies in the industry that are growing. Ady Advantage will set up and teach the Cloquet team how to continue to monitor Google alerts.	City of Cloquet	Low	2018	Low
<b>Lead generation:</b> Identify qualified, growing, prospective companies in the food processing industry. Focus on companies in the Midwest, and those who want to grow in the Canada market.	Ady Advantage	Low	2018	High
<b>Target industry profile:</b> Create a target industry profile for the agribusiness and food processing industry. This marketing piece should be supplemental to the regional profile, but contain enough information on Cloquet and the region to serve as a stand-alone marketing piece.	Ady Advantage	Low	Q2 2017	Included
<b>Success stories:</b> Create case studies from successful companies in the region, such as Upper Lakes Foods. These case studies can be used as printed collateral, press releases, social media and newsletters. Cost includes interview of company, writing content for success story, and layout/design of the story for print and/or web distribution.	Ady Advantage or City of Cloquet	Low	2018	Medium

# Business and Community Marketing Plan

MARKETING – TRANSPORTATION AND DISTRIBUTION				
	Responsible Party	Priority	Timeline	Budget
<b>Communicate the brand and the benefits of locating in Cloquet to prospective companies in the transportation and distribution industry.</b>				
<b>Identify regional companies that may need more room for distribution:</b> From BRE visits, determine if there are companies that require additional space for expansion. Work with the County, regional partners and Fond du Lac Band to identify similar companies or organizations that need room for expansion.	City of Cloquet	Low	2018	Low
<b>Work with Lake Superior College:</b> To determine where CDL alumni are going to work. Reach out to these companies to gauge their interest in opening a location in Cloquet.	City of Cloquet	Low	2018	Low
<b>Target industry profile:</b> Create a target industry profile for the transportation and distribution industry. This marketing piece should be supplemental to the regional profile, but contain enough information on Cloquet and the region to serve as a stand-alone marketing piece.	Ady Advantage	Low	Q2 2017	Included



# Business and Community Marketing Plan

MARKETING – VALUE-ADDED FORESTRY PRODUCTS				
	Responsible Party	Priority	Timeline	Budget
<b>Communicate the brand and the benefits of locating in Cloquet to prospective companies in the value-added forestry products industry.</b>				
<b>Track prospective companies via Google Alerts:</b> Set up Google alerts to capture key words and phrases related to the value-added forestry products industry and companies in the industry that are growing. Ady Advantage will set up and teach the Cloquet team how to continue to monitor Google alerts.	City of Cloquet	Low	2018	Low
<b>Work with NRRI, SAPPI, APEX and local DNR office:</b> To determine value-added opportunities for current companies in this industry, as well as to identify companies currently doing value-added forestry products that would benefit from locating in Cloquet.	City of Cloquet	Low	2018	Low
<b>Target industry profile:</b> Create a target industry profile for the value-added forestry industry. This marketing piece should be supplemental to the regional profile, but contain enough information on Cloquet and the region to serve as a stand-alone marketing piece.	Ady Advantage	Low	Q2 2017	Included

# Business and Community Marketing Plan

MARKETING – COMPONENT MANUFACTURING				
	Responsible Party	Priority	Timeline	Budget
<b>Communicate the brand and the benefits of locating in Cloquet to prospective companies in the component manufacturing industry.</b>				
<b>Supply Chain Referral Program:</b> Identify current companies in the region whose supply chain might include component manufacturing (e.g., Cirrus Aircraft, Ikonics, etc.). Work with these companies to determine if there may be opportunities to locate their customers or suppliers closer to them.	City of Cloquet	Low	2018	Low
<b>Target industry profile:</b> Create a target industry profile for the component manufacturing industry. This marketing piece should be supplemental to the regional profile, but contain enough information on Cloquet and the region to serve as a stand-alone marketing piece.	Ady Advantage	Low	Q2 2017	Included



**ADMINISTRATIVE OFFICES**

1307 Cloquet Avenue • Cloquet, MN 55720  
Phone: 218-879-3347 • Fax: 218-879-6555  
email: admin@ci.cloquet.mn.us  
www.ci.cloquet.mn.us

**REQUEST FOR COUNCIL ACTION**

To: Mayor and City Council  
From: Nancy Klassen, Finance Director *NK*  
Reviewed/Approved by: James Barclay, Interim City Administrator *JBC*  
Date: May 23, 2017

**ITEM DESCRIPTION:** Year End Transfers for 2016

**Proposed Action**

Staff recommends the Council move to authorize the transfers for 2016 as detailed in the May 23, 2017 staff report.

**Background/Overview**

The council reviews and approves transfers for projects and other transactions yearly after the financial statements are finalized.

2016 Capital Improvements – Expenditures are made in the revolving capital projects fund for street projects then reimbursed by the permanent improvement fund.

Transfer to the Revolving Capital Projects \$342,344.45  
from Permanent Improvement \$342,344.45

2016 Capital Equipment – The transfer is for the utility portion of a dump truck purchased by the Street Department.

Transfer to Public Works Reserve \$47,500  
from Water \$30,000  
from Sewer \$17,500

Fund balance & future capital outlay – The General Fund is fully funded in accordance with the Fund Balance Policy. The Library Fund 2016 transfer was budgeted at \$75,000 but needs a transfer of \$105,000 to meet the Fund Balance Policy. The Fund Balance Policy also allows the Council to transfer amounts to a capital projects fund for a specific purpose or internal “savings” for the CIP. The 2016 Budget anticipated the General Fund transferring \$500,000 to fund future building facilities planning.

Transfer to Building Facilities Plan Fund \$500,000  
Transfer to Library Fund \$105,000  
from General Fund \$605,000



Small Cities Development Program

Loan repayments are transferred from the City's small cities project fund to the EDA's small cities loan fund for future projects and loans.

Transfer to Small Cities Loan Fund (EDA) #206 - \$2,398.46  
from Small Cities Development Program Fund (City) #208 - \$2,398.46

Marketing Study

The General Fund is reimbursing the Community Development Operating Fund for the cost of the marketing study for payments to the consultant in 2016.

Transfer to Community Development Operating Fund \$27,101.25  
from General Fund \$27,101.25

Policy Objectives

Proper approval for financing transfers for the year ended 12/31/2016.

Financial Impacts/Budget/Grant Considerations

Approval of transfers so various funds are properly reimbursed for 2016 activities and to increase reserve for future capital outlay. The construction transfers are budgeted at the beginning of the year but actual numbers are not available until the audit is complete.

Advisory Committee/Commission Action

Not applicable.

Supporting Documents Attached

None.



# CLOQUET

## ADMINISTRATIVE OFFICES

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Phone: 218-879-3347 • Fax: 218-879-6555  
email: admin@ci.cloquet.mn.us  
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### REQUEST FOR COUNCIL ACTION

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator  
Date: May 30, 2017

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**ITEM DESCRIPTION:** 4<sup>th</sup> of July Parade and Related Celebration Issues

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#### Proposed Action

Staff recommends that the City Council move 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.

#### Background/Overview

Enclosed the City Council will find a request from Alyson Leno, representing the Cloquet 4th of July Celebration Committee, seeking approval to hold the 4th of July parade and related activities again this year. The requests are consistent with previous years with the events being held on Cloquet Avenue, Industrial Avenue, Old Main Street and at local parks. Veterans and Pinehurst Park will once again be used as part of the event with food vendors and other activities.

In addition to the parade there are several other items the City Council needs to consider as part of the celebration. First, the Committee should once again be authorized as a City Committee acting on behalf of the City for this sponsored event. Thus, the event and volunteers working on the event would fall under the City's event coverage. This is common in certain cities and is legal per our insurance carrier. Staff supports this for the 4th of July event.

Other support typically requested from the City would be as follows of which no formal action is required at this time. The City will also be providing some port-a-pottys, trash cans, and dumpsters for the event. The event organizers also use the City tents, trailer (for bands) and bleachers. The City has historically provided these to the event. The City has also provided water and/or electricity at no cost to the event and its participants.

The City is also asked to contract with Stipes Carnival for the carnival near Veterans Park. The City acted in a similar capacity the past few years, hosting the carnival at Dunlap Island. Stipes is asking for the City to provide water service in exchange for a donation towards the 4th celebration. Last year Stipes donated back \$2,500. The cost of the fireworks is paid through the fundraising efforts of the July 4<sup>th</sup> Committee and there is no cost for the carnival.

The committee is looking to have a series of bands throughout the day that usually start around noon and run until 8:00 p.m. The Council could consider any special conditions for the music venue but has not historically done so due to the music ending early in the evening.

To Mayor and Council  
4<sup>th</sup> of July Celebration  
May 30, 2017  
Page 2

**Policy Objectives**

The support of this type of community event is not directly addressed in any City policy or ordinance.

**Financial/Budget/Grant Considerations**

Some stafftime is required for clean-up and barricading of streets which would be charged against the General Fund. The insurance costs will fall under the City's existing liability insurance coverage. There is some direct cost to the City as it relates to the port-a-potty's and garbage removal. The Carnival does generate some additional electrical cost.

**Advisory Committee/Commission Action**

The Parks Commission will be asked to authorize the use of the Park at a future meeting.

**Supporting Documentation Attached**

- Request from Alyson Leno
- Stipes Chows Inc. Contract



March 30, 2017

Cloquet City Council  
1307 Cloquet Avenue  
Cloquet, MN 55720

City Council:

July 4<sup>th</sup> is right around the corner, and our committee is in the process of putting together an entire day's worth of FREE July 4<sup>th</sup> activities for families and residents from Cloquet and the surrounding communities. Below, you will find a list regarding approvals needed for the July 4<sup>th</sup> Celebration.

1. Street Closures
  - a. July 4<sup>th</sup>: Industrial Avenue, 9:30am-12:00pm (parade line-up and Sawdust 1-mile route)
  - b. July 4<sup>th</sup>: Cloquet Avenue, 11am-12:00pm (parade)
  - c. July 4<sup>th</sup>: Old Main Street, 7am-3:00pm (car show)
2. Use of Parks
  - a. July 3 - July 5<sup>th</sup>: Veterans Park, all day (set-up and clean-up, included)
  - b. June 28-July 5<sup>th</sup>: Best Oil parking lot by Veterans Park, all day (Stipes Carnival)
  - c. July 4: Pinehurst Park, 4am-10:30am (Sawdust 5k)
3. Stipes Carnival
  - a. Best Oil parking lot, all day, June 28-July 5<sup>th</sup>
  - b. Doors would be open to the public July 1, 2, 3, 4
  - c. Would the City pay for electricity and water in return for their profit sharing donation? Last year, Stipes donated \$2,500 to the Fourth of July Committee. We'll putting the money into this years event – which will also help pay for the fireworks.
4. Fireworks permit
  - a. See attached Pyrotechnic Display, Inc display contract
5. Temporary Beer Permit
  - a. July 4<sup>th</sup>: Veterans Park (Carmens Restaurant and Bar)

Thank you for your consideration regarding the July 4<sup>th</sup> Celebration approvals.

Alyson Leno  
879.1551  
aleno@cloquet.com



"OUR BUSINESS IS FUN"



Barry Stipe, Manager  
Cell: 612-867-1517

P.O. Box 490868, Blaine, MN 55449

CONTRACT

MEMORANDUM OF AGREEMENT: This contract made and entered into this 24 day of MAY, 2017, by and between STIPE'S SHOWS INCORPORATED who shall herein after by styled party of the first part, and 4 OF JULY COMM. of the City of CLOQUET, State of MN, who shall herein after by styled party of the second part.

That party of the first part agrees to present their entire company, consisting of N/A riding devices, music, concessions, etc, in the City of CLOQUET, State of MN, for a period of 3 days and nights commencing JUNE-130, 2017, and ending JULY-4, 2017, both dates inclusive.

That party of the first part is also to furnish roll tickets, ticket boxes, part of posting paper in the aforesaid City, several days in advance of this engagement, all of which is free to the party of the second part.

That party of the second part hereby agrees to furnish all local licenses as required by law, electric current delivered to the various fuse blocks and the proper illumination of a N/A connected load, water, police protection, bill posting and newspaper advertising, also a suitable location of grounds, known as - 0 - N/A - 00 - FILL IN -

Party of the first part shall have exclusive privileges of all shows, riding devices and concessions.

That as a consideration of the above mentioned, the party of the first part agrees to pay the party of the second part, the sum of 15 per cent of the gross receipts of shows and the sum of 15 per cent of the gross receipts of all rides, also the flat sum of NONE from the sale of each concession stand or minor privilege. Payments to be made on all shows and rides not later than ONE WEEK of the week of this engagement.

REMARKS: STIPE SHOWS INC. TO FURNISH A CERTIFICATE OF INSURANCE LIABILITY. - SPONSOR FEE IS FIGURED AFTER SALES TAX AND INSURANCE (25%) IS DEDUCTED. STIPE SHOWS MUST GROSS \$10,000 BEFORE SPONSOR FEE IS PAID. SPONSOR WILL SUPPLY CITY PERMITS, PORTA POTTIES - WATER - TRASH CANS - DUMPSTER -

That it is mutually agreed by both parties thereto that there is no other contract or promise, either written or verbal. Subject to the approval of the owner of above shows, either by wire or letter.

That party of the second part further agrees to use their influence to prevent other like attractions from exhibiting in the aforesaid City until after the termination of this agreement.

In the case of sickness or death of any performer, then party of the first part shall have a reasonable time to replace such act or performer. In case of railroad accident or delay, strikes, fire, flood, cyclone, epidemic cause or any unforeseen occurrence over which the party of the first part has no control then they are not to be held for damages, by the party of the second part.

This contract entered into and signed in duplicate in the City of CLOQUET, State of MN, this the 24 day of MAY, A.D. 2017 by the duly authorized representatives of the parties hereto.

This contract is for:  1 Yr  2 Yrs  3 Yrs

In the presence of:  
\_\_\_\_\_  
\_\_\_\_\_

\* \_\_\_\_\_  
Party of the Second Part  
\* \_\_\_\_\_  
Party of the Second Part

STIPE SHOWS INC.  
by Barry M. Stipe  
Party of the first part



**ADMINISTRATIVE OFFICES**

1307 Cloquet Avenue • Cloquet, MN 55720  
Phone: 218-879-3347 • Fax: 218-879-6555  
email: admin@ci.cloquet.mn.us  
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**REQUEST FOR COUNCIL ACTION**

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To: Mayor and City Council  
From: James Barclay, Interim City Administrator  
Date: May 25, 2017

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**ITEM DESCRIPTION:** Beer Sales at Veteran's Park on July 4th

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**Proposed Action**

Staff recommends that the City Council move to authorize Carmen's to allow for the sale of beer through its existing on-sale liquor license within Veteran's Park on July 4, 2017 as part of the community event and celebration, with the following conditions as identified by the Council:

- Sales of alcohol be limited to beer.
- Sales be limited to July 4, 2017 from 12:00 noon until the conclusion of the fireworks around 10:30 p.m.
- The licensee provide the City with a certificate of insurance providing proof of liability and dram shop insurance in the amount of \$500,000 per claim and \$1,000,000 in aggregate covering the facility/event. The City will be added as a named insured on such certificate.
- Consumption be allowed throughout the park with no formal fencing or security fencing required.
- The licensee provide sufficient security personnel at all times when alcohol is sold and two police officers be on site as required under City Code from 5:00 p.m. to 11:30 p.m. with Carmen's being responsible for the cost of only one officer.

**Background/Overview**

Once again this year a small Committee has been working to develop a 4th of July celebration centered at Veteran's Park. In addition to the parade and fireworks, they have been planning a wide variety of events for the public to partake throughout the day beginning with the conclusion of the parade and continuing up until the fireworks later in the evening.

The Committee has once again inquired about the possibility of a beer tent being allowed within the park to further provide attraction to some of our older residents in the community. Live bands will be playing throughout the day and the Committee believes the beer tent would be a very viable and reasonable activity in relationship with these events.



The Committee has been working with Carmen's as a provider of the beer tent under their current on-sale liquor license. In the past, the City has allowed the sale of beer at Veteran's Park during the 4<sup>th</sup> of July Celebration. The VFW provided beer as part of the 2015 Celebration and Carmen's in 2016. There are no legal restrictions against the sale and consumption of alcohol in the park. Though the consumption is restricted by City Code in the park system, it has typically been waived for community events such as this.

Under Minnesota Statutes 340A.404, Subdivision 4,

- a) the governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor at any convention, banquet, conference, meeting or social affair conducted on the premises of a sports, convention, or cultural facility owned by the municipality.
- b) The governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor off premises at a community festival held within the municipality. The authorization shall specify the area in which the intoxicating liquor must be dispensed and consumed, and shall not be issued unless the licensee demonstrates that it has liability insurance as prescribed by section 340A.049 to cover the event.

Both the City Attorney and State of Minnesota have in the past confirmed that this approach can be used as long as the City acknowledges the relationship as part of a community event.

### **Key Issues**

The City has several specific requirements under City Code that relate to this request. As a result, the Council must refer to Minnesota Statute and certain aspects of its other licensing requirements to identify the key issues. However, it is fair to assume that the requirements as detailed under the temporary licensing section of the Code should be considered. Those are:

- **Insurance** - The licensee should provide a certificate of insurance providing evidence of coverage at Veteran's Park and further identify the City as an additional insured.
- **Fee** - There is no established fee for such authorization. Staff is not proposing any fee at this time.
- **Security** - The City Code requires 2 police officers at any event obtaining a temporary license. Currently the City charges \$50/hour under our 2017 fee schedule. The Committee and licensee would like the City to reconsider this requirement. Since the 2013 4<sup>th</sup> of July Celebration, the Council has agreed to splitting the cost for security and staff is recommending the same for consistency. The officers typically continue to patrol for an additional hour after sales cease to make sure no problems take place.

To the Mayor and City Council  
4th of July Celebration  
May 25, 2017  
Page 3

- **Service Area** - Since the 2013 July 4<sup>th</sup> Celebration, the Council agreed to allow consumption throughout the park with no fencing and staff is recommending the same for consistency. There have not been any identifiable problems.
- **Hours** - The sale of beer would not begin until the conclusion of the parade, around 12:00 noon and then run through the day until the fireworks begins around 10:30 p.m.

**Policy Objectives**

M.S. 340A. addresses the sale of alcohol and beer while City Code, Section 6.2 also addresses the licensing of alcohol within City limits.

**Financial/Budget/Grant Considerations**

The City would incur the cost for one officer to be present throughout the day as security.

**Advisory Committee/Commission Action**

None.

**Supporting Documentation Attached**

- Letter of Request from Carmen's

From: Carmen's Bar and Restaurant  
Ryan Lindstrom and Zach Zezulka  
5/25/13

To: Cloquet City Council

We are requesting the opportunity to run a beer tent during the fourth of July festivities this year down in veteran's park. We have been working with the fourth of July committee and are looking to finalize our plans for the fourth. With this approval, we would be able to finish our planning and get things organized for the event. Thank you for your time and efforts look forward to hearing back from you soon thank you.

Carmen's

Two handwritten signatures in black ink. The top signature is for Ryan Lindstrom and the bottom signature is for Zach Zezulka. Both signatures are stylized and cursive.

Ryan Lindstrom

Zach Zezulka