



**CITY OF CLOQUET
City Council Agenda
AMENDED
Tuesday, March 21, 2017
7:00 p.m.
City Hall Council Chambers**

CITY COUNCIL WORK SESSION

* The Work Session has been cancelled.

1. **Roll Call.**
2. **Pledge of Allegiance.**
3. **Approval of Agenda.**
 - a. Approval of March 21, 2017 Council Agenda
4. **Approval of Council Minutes.**
 - a. Work Session minutes from March 7, 2017 meeting
 - b. Regular Council minutes from the March 7, 2017 meeting
 - c. Special Emergency Meeting minutes from March 16, 2017
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. 17-24, Authorizing the Payment of Bills
 - b. Outdoor Public Fireworks Display Permit – Pyrotechnics
6. **Public Hearings.**
 - a. Now is the time and place for the Public Hearing on the proposed assessments for the 2016 Improvement of 3rd Street from Cloquet Avenue to Carlton Avenue.
 - Resolution No. 17-25
7. **Presentations.**

None



**CITY OF CLOQUET
City Council Agenda
AMENDED
Tuesday, March 21, 2017
7:00 p.m.
City Hall Council Chambers**

8. Council Business.

- a. Ordinance No. 463A, An Ordinance Amending Section 6.2 and 6.3 of the Municipal Code as it Relates to the Sale of Intoxicating and 3.2 Percent Malt Liquor on Sundays
- b. Resolution No. 17-22, A Resolution Approving the Site Plan in the RC-Regional Commercial District for Marvin Development IV, LLC (Taco Bell)
- c. Resolution No. 17-23, Calling for a Public Hearing by the City Council on the Proposed Adoption of a Modification to the Development Program for Development District No. 4 and the Proposed Establishment of Tax Increment Financing District No. 4-1 Therein and the Adoption of the Tax Increment Financing Plan Therefor
- d. Resolution No. 17-26, A Resolution Awarding 2017 Sewer Lining Bid
- e. Authorization to Bid 2017 Riverfront Improvements
- f. Resolution No. 17-27, Authorizing the City of Cloquet Public Works Department to Maintain a Pathway on Minnesota Department of Transportation Right-of-Way Along Broadway Avenue
- g. Revised Memorandum of Understanding, Regional Stormwater Protection Team

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. Adjournment.

Cloquet City Council Work Session

DRAFT

Tuesday, March 7, 2017

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

Absent: None

Staff: J. Barclay, N. Klassen, C. Peterson, J. Anderson, L. Peterson, T. Johnson, R. Biebl

Other: J. Lund, Pine Journal

Public Works Update

Caleb Peterson, Public Works Director, was present to give the Council an update on the Public Works department's activities. Mr. Peterson highlighted 2016 accomplishments and projects slated for 2017. Mr. Peterson explained the responsibilities of the different divisions within Public Works and highlighted some of the recent projects as follows:

General

- 2016 engineering projects completed included Skyline Blvd landscaping, Slate Street Sidewalk, 3rd Street reconstruction, Holmes Drive mill and overlay, South Hwy 33 and Carl Street reclaim, and a utility extension study. 2017 projects include overlay projects, CIPP sewer lining and the Pine Valley Bike Trail.
- Mr. Peterson stated they are researching a pavement management plan which involves looking at the roads throughout the city and establishing the level of maintenance and a plan to maintain and what to forecast. More information will be presented to the Council once the information is collected.
- Mr. Peterson gave kudos to his the utilities crew in regards to the extensive Lake Superior Waterline repair in 2016.
- Mr. Peterson also noted the updated Snow and Ice Removal Policy which changed the snow plowing start time change to 3 am in the event of a major snowfall. Discussion of the new equipment on the plow trucks eliminating one person in the trucks therefore freeing them to do other snow removal such as sidewalks.
- A change in the 2016 budget included a dedicated maintenance allocation for street patching.
- The goal for 2017 is to complete all street sweeping and utility patches by mid-June.
- The City has been included in the Emerald Ash Borer quarantine. Staff will be attending training to understand the impact of the quarantine and learn how this will affect services the City offers.

Streets

- Overview of the Street revision included Les discussing the Cloquet Avenue streetscape as well as Pinehurst Park summer maintenance. It was requested that weeding and flower basket maintenance time is tracked.
- Ditch mowing along Highway 33 and rural ditches is out for bids now. MnDOT has a new maintenance supervisor which could make a difference in how much mowing they will do.

Lake Superior Waterline

- Mr. Peterson next gave an overview of the utilities department. Discussion followed of the Knowlton Creek leak repair in 2016 and how much responsibility Sappi should have in the repair cost. Ms. Klassen works with Sappi on the rates for the upcoming year which will help cover the repair costs.
- Also discussed was the Station 2 surge and cooling water coordination, motor #1 repairs and station 1 and 2 electrical upgrades.

Sewer/Water

- Sewer Department highlights include the new televised system which identified and repaired 6 mainline failures.
- Frequency of sewer cleaning is now on a 3 year cycle which cut the amount of afterhours sewer calls by 66%.

- Discussion on the well exploration/ manganese issue. The health advisory board put out warning on the levels of manganese. When the study is complete, it will guide us on which route to go down. Councilor Kolodge inquired if there is an issue, would FDL be open to a new well within the reservation? Mr. Fritsinger feels it's a reason that FDL would support.

There being no further business, the meeting was adjourned at 6:55 pm. The Council reconvened at 7:45 p.m.

Discussion took place regarding assessments of the South Highway 33 and Carl Street project. The Council is supportive of withholding assessments at this time due to the uniqueness of the project. Future projects will be based on an amended assessment policy after the pavement management plan is completed. Staff was directed to look at amendments to the Code to support this position.

Broadway/Dunlap Island project conversation took place. The estimated project is \$4.6 million, allocated funds are \$4.2 million. Mr. Peterson asked for direction from Council on what could potentially be eliminated from the plans. Council suggested eliminating the adult play equipment, explore options of downsizing shelters or eliminating one of them, options for portable toilet enclosure, possibly eliminating the fire pits, and doing the work on the east side of the highway as an alternate project. Bidding is estimated to take place in April.

There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

James Barclay
Interim City Administrator

Regular Meeting

 **DRAFT**

Roll Call

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

Councilors Absent: None.

Pledge of Allegiance

AGENDA

MOTION: Councilor Bailey moved and Councilor Rock seconded the motion to approve the March 7, 2017 agenda. The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Kolodge moved and Councilor Maki seconded the motion to approve the minutes of the Work Session and Regular Meeting of February 21, 2017. The motion carried unanimously (7-0).

CONSENT AGENDA

MOTION: Councilor Bjerkness moved and Councilor Rock seconded the motion to adopt the consent agenda of March 7, 2017 approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 17-19, Authorizing the Payment of Bills and Payroll
- b. Approval of New Massage Therapy Business License – Haven of Hope Massage Therapy

PUBLIC HEARING

There were none.

PRESENTATIONS

There were none.

FOND DU LAC WATER SERVICE AGREEMENT

MOTION: Councilor Langley moved and Councilor Rock seconded the motion to approve a one-year extension of the Water Service Agreement between the City of Cloquet and Fond du Lac Band of Lake Superior Chippewa. The motion carried unanimously (7-0).

WESTERN LAKE SUPERIOR SANITARY DISTRICT BOARD APPOINTMENT

MOTION: Councilor Bailey moved and Councilor Langley seconded the motion to advertise and post for a potential citizen appointment to the WLSSD Board filling the vacancy with a term expiring July 1, 2017. The motion carried unanimously (7-0).

CITY ADMINISTRATION SUCCESSION PROCESS

MOTION: Councilor Bjerkness moved and Councilor Bailey seconded the motion to accept the proposal from Springsted-Waters to provide executive recruitment services for the City Administrator position. The motion carried unanimously (7-0) with.

APPOINTMENT OF INTERIM CITY ADMINISTRATOR

MOTION: Councilor Bailey moved and Councilor Rock seconded the motion to approve the appointment of James Barclay as Interim City Administrator effective March 20, 2017 and the terms and conditions of the temporary appointment until the selection process is complete and a new City Administrator has been appointed and started his/her position with the City subject to review of the agreement by the City Attorney. The motion carried unanimously (7-0).

SALE OF GENERAL OBLIGATION SALES TAX REVENUE BONDS, SERIES 2017A

MOTION: Councilor Kolodge moved and Councilor Bjerkness seconded the motion to adopt **RESOLUTION NO. 17-20, A RESOLUTION PROVIDING FOR THE SALE OF \$8,400,000 GENERAL OBLIGATION SALES TAX REVENUE BONDS, SERIES 2017A.** The motion carried unanimously (7-0).

WHEREAS, The City Council of the City of Cloquet, Minnesota (the "City"), has heretofore determined that it is necessary and expedient to issue the City's \$8,400,000 General Obligation Sales Tax Revenue Bond, Series 2017A (the "Bonds"), to finance the construction and completion of various park improvements and infrastructure projects in the City as authorized by special legislation; and

WHEREAS, The City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

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

1. Authorized Findings. The City Council hereby authorizes Ehlers to assist the City for the sale of the Bonds.
2. Meeting Proposal Opening. The City Council shall meet at 7:00 p.m. on April 4, 2017, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

PUBLIC COMMENTS

There were none.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

City Administrator Fritsinger addressed the public thanking everyone for their support in his role as City Administrator. Several members of the Council thanked Mr. Fritsinger for his dedication and efforts serving the community.

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

James Barclay, Interim City Administrator

DRAFT

Special Emergency Meeting

Roll Call

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

Councilors Absent: Bailey, Kolodge

AGENDA

The agenda for the meeting was presented. There being no additions or changes, the agenda was approved.

Mayor Hallback called the meeting to order at 6:10 p.m. He noted that the purpose for this emergency meeting was related to internal affairs relating to allegations of law enforcement personnel misconduct.

MOTION: Councilor Rock moved and Councilor Maki seconded the motion to close this portion of the meeting pursuant to Minnesota Statutes, Section 13D.05, Subdivision 2(a)(2). The motion carried unanimously (5-0).

Mayor Hallback announced the time is 6:12 p.m. and the Council will now go into a closed session.

Mayor Hallback stated that following a closed session meeting for internal affairs data relating to allegations of law enforcement personnel misconduct, the City Council meeting is now open. The time is 7:02 p.m.

MOTION: Councilor Langley moved and Councilor Rock seconded the motion that Steve Stracek be placed on paid administrative leave pending further investigation. The motion carried (4-1), Councilor Maki opposed.

MOTION: Councilor Langley moved and Mayor Hallback seconded the motion to appoint Jeff Palmer as interim Police Chief subject to his acceptance of the position. The motion carried (3-2) with Councilors Maki and Bjerckness opposed.

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

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

To: Mayor and City Council
From: Nancy Klassen, Finance Director *NJK*
Reviewed/Approved by: James Barclay, Interim City Administrator
Date: March 16, 2017

ITEM DESCRIPTION: Payment of Bills

Proposed Action

Staff recommends the Council move to adopt **RESOLUTION NO. 17-24, A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS.**

Background/Overview

Statutory Cities are required to have most claims authorized by the city council.

Policy Objectives

MN State Statute sections 412.271, Claims and disbursements for Statutory Cities.

Financial/Budget/Grant Considerations

See resolution for amounts charged to each individual fund.

Advisory Committee/Commission Action

Not applicable.

Supporting Documents Attached

- a. Resolution Authorizing the Payment of Bills.
- b. Vendor Summary Report.
- c. Department Summary Report.

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

RESOLUTION NO. 17-24

A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

WHEREAS, The City has various bills each month that require payment.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the bills be paid and charged to the following funds:

101	General Fund	\$	55,825.69
207	Community Development Operating		535.38
225	Permanent Improvement		292.50
226	Park Fund		4,319.75
228	Senior Center		827.30
231	Public Works Reserve		2,943.75
405	City Sales Tax Projects		800.00
600	Water - Lake Superior Waterline		125,290.48
601	Water - In Town System		18,234.40
602	Sewer Fund		1,719.41
614	CAT-7		101.03
	TOTAL:	\$	210,889.69

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 21ST DAY OF MARCH, 2017.**

ATTEST:

Dave Hallback, Mayor

James Barclay, Interim City Administrator

INVOICES DUE ON/BEFORE 03/21/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
111350	LEXISNEXIS RISK DATA MNGMT INC	100.00	50.00
122000	A T & T MOBILITY	640.57	45.61
123080	B & F FASTENER SUPPLY CO	0.00	95.33
125700	BEST OIL COMPANY	32,650.05	7,656.57
134000	CARLTON COUNTY HIGHWAY DEPT	6,310.91	1,876.59
134600	CARLTON COUNTY SHERIFF	0.00	4,000.00
134700	CARLTON COUNTY TREASURER	652.30	92.93
134800	CARLTON COUNTY TREASURER	35.30	12.78
135675	VORK ENTERPRISES INC	370.00	185.00
137310	CENTURY LINK	7,208.11	231.58
139800	CLOQUET AREA CHAMBER OF COMMER	8,961.90	49.00
142100	CLOQUET MAIL STATION	194.55	36.67
142800	CLOQUET SANITARY SERVICE	1,368.42	488.88
144700	DEPARTMENT OF TRANSPORTATION	328.59	1,200.00
145300	COMMUNITY PRINTING	1,934.50	637.25
147050	CONSOLIDATED TELEPHONE COMPANY	434.00	217.00
148800	CROW GOEBEL VETERINARY CLINIC	0.00	55.00
156400	CITY OF DULUTH COMFORTSYSTEMS	157.96	78.53
156800	DULUTH NEWS TRIBUNE	836.81	116.66
157000	DULUTH PLUMBING SUPPLIES	442.00	100.80
160600	EHLERS & ASSOCIATES, INC.	0.00	322.50
162640	ENVENTIS TELECOM INC	95.19	47.24
162750	ENVIRONMENTAL RESOURCE ASSOC.	0.00	245.72
165375	FERGUSON WATERWORKS #2516	215.34	11.79
167875	FLAHERTY & HOOD, P.A.	4,413.26	730.30
171525	G&K SERVICES	747.36	249.41
175950	GRAPHIC TECHNOLOGIES	1,430.50	140.00
179300	HACH COMPANY	414.20	473.67
179340	HAGENS GLASS & PAINT	1,817.72	759.01
180425	HARRIS COMPUTER SYSTEMS	1,166.47	64.60
180500	HAWKINS INC	9,589.81	2,760.58
197800	L & M SUPPLY CO	4,010.69	855.06
200750	LANDMARK ENVIRONMENTAL, LLC	0.00	292.50
202100	LAWSON PRODUCTS INC	466.05	391.57
207400	MANEY INTERNATIONAL INC	4,217.83	34.77
210450	MEDIACOM LLC.	701.98	12.54
211400	MENARDS	976.06	152.16
215800	MINNESOTA PIPE & EQUIP.	10,581.57	1,929.64
218400	MN CHIEFS OF POLICE ASSOC	0.00	385.00
229500	NAPA AUTO PARTS	1,030.48	613.94
235400	NORTHERN PRINTERY THE	0.00	426.87
242850	PARSONS ELECTRIC LLC	7,475.46	1,201.90
244300	BRENT BELICH	6,925.30	713.65
251800	RANDALL'S HEATING & COOLING	719.75	36.00

DATE: 03/16/2017
TIME: 11:01:39
ID: AP442000.WOW

CITY OF CLOQUET
VENDOR SUMMARY REPORT

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INVOICES DUE ON/BEFORE 03/21/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
258200	RUDY GASSERT YETKA	38,187.50	5,474.50
265250	SNAP ON TOOLS	0.00	1,598.95
268800	STOCK TIRE COMPANY	1,877.82	1,114.42
270200	SUPERIOR COMPUTER PRODUCTS INC	20,909.50	13,635.21
276000	TOSHIBA FINANCIAL SERVICES	2,773.98	1,028.46
276225	KANDI KOUNTRY EXPRESS LTD	424.68	168.89
278600	TWIN PORT MAILING	11,213.32	3,236.32
280390	ULINE	184.43	53.55
281000	UNITED ELECTRIC COMPANY	862.03	234.40
282900	UPPER LAKES FOODS INC	426.71	89.73
284875	VERIZON WIRELESS	2,582.69	306.57
288150	WASTE MANAGEMENT NORTHERN MN	71.48	71.48
292400	XEROX CORPORATION	690.67	455.78
R0001133	KWIK TRIP INC	0.00	17.10
R0001349	BNSF RAILWAY COMPANY	0.00	800.00
R0001480	EDDIE OQUENDO	0.00	48.00
R0001481	CSUS	0.00	180.00
R0001482	UNIVERSITY OF MINNESOTA	0.00	170.00
TOTAL ALL VENDORS:			58,759.96
Less:			
Health/Dental/VEBA			
Library			(3.84)
Cloquet Area Fire			
District			(2,413.34)
Total Bills Approved			<u>56,342.78</u>
Plus:			
Credit card/bill pay f			1,576.45
MN Sales Tax			1,082.66
MN Power auto pay			147,872.44
MN Energy auto pay			4,015.36
Total Bills			<u><u>210,889.69</u></u>

INVOICES DUE ON/BEFORE 03/21/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
00			
134700	CARLTON COUNTY TREASURER	652.30	92.93
171525	G&K SERVICES	747.36	45.25
R0001480	EDDIE OQUENDO		48.00
			186.18
41	GENERAL GOVERNMENT		
139800	CLOQUET AREA CHAMBER OF COMMER	8,961.90	49.00
142800	CLOQUET SANITARY SERVICE	1,368.42	28.45
147050	CONSOLIDATED TELEPHONE COMPANY	434.00	108.50
156800	DULUTH NEWS TRIBUNE	836.81	38.28
167875	FLAHERTY & HOOD, P.A.	4,413.26	156.55
171525	G&K SERVICES	747.36	74.60
180425	HARRIS COMPUTER SYSTEMS	1,166.47	64.60
197800	L & M SUPPLY CO	4,010.69	12.43
258200	RUDY GASSERT YETKA	38,187.50	4,746.00
270200	SUPERIOR COMPUTER PRODUCTS INC	20,909.50	5,720.50
276000	TOSHIBA FINANCIAL SERVICES	2,773.98	498.30
281000	UNITED ELECTRIC COMPANY	862.03	25.00
282900	UPPER LAKES FOODS INC	426.71	89.73
284875	VERIZON WIRELESS	2,582.69	306.57
292400	XEROX CORPORATION	690.67	170.92
	GENERAL GOVERNMENT		12,089.43
42	PUBLIC SAFETY		
111350	LEXISNEXIS RISK DATA MNGMT INC	100.00	50.00
125700	BEST OIL COMPANY	32,650.05	3,215.75
134600	CARLTON COUNTY SHERIFF		4,000.00
135675	VORK ENTERPRISES INC	370.00	185.00
142100	CLOQUET MAIL STATION	194.55	36.67
142800	CLOQUET SANITARY SERVICE	1,368.42	54.39
145300	COMMUNITY PRINTING	1,934.50	143.15
148800	CROW GOEBEL VETERINARY CLINIC		55.00
167875	FLAHERTY & HOOD, P.A.	4,413.26	573.75
171525	G&K SERVICES	747.36	55.08
197800	L & M SUPPLY CO	4,010.69	67.87
218400	MN CHIEFS OF POLICE ASSOC		385.00
235400	NORTHERN PRINTERY THE		426.87
258200	RUDY GASSERT YETKA	38,187.50	272.25

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CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 03/21/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
42	PUBLIC SAFETY		
270200	SUPERIOR COMPUTER PRODUCTS INC	20,909.50	4,499.71
276000	TOSHIBA FINANCIAL SERVICES	2,773.98	364.06
R0001133	KWIK TRIP INC		17.10
R0001481	CSUS		180.00
	PUBLIC SAFETY		14,581.65
43	PUBLIC WORKS		
122000	A T & T MOBILITY	640.57	45.61
125700	BEST OIL COMPANY	32,650.05	765.66
134000	CARLTON COUNTY HIGHWAY DEPT	6,310.91	1,876.59
142800	CLOQUET SANITARY SERVICE	1,368.42	54.94
144700	DEPARTMENT OF TRANSPORTATION	328.59	1,200.00
147050	CONSOLIDATED TELEPHONE COMPANY	434.00	15.50
157000	DULUTH PLUMBING SUPPLIES	442.00	100.80
165375	FERGUSON WATERWORKS #2516	215.34	11.79
171525	G&K SERVICES	747.36	22.94
179340	HAGENS GLASS & PAINT	1,817.72	197.19
197800	L & M SUPPLY CO	4,010.69	108.59
202100	LAWSON PRODUCTS INC	466.05	195.79
207400	MANEY INTERNATIONAL INC	4,217.83	23.18
211400	MENARDS	976.06	152.16
229500	NAPA AUTO PARTS	1,030.48	585.18
242850	PARSONS ELECTRIC LLC	7,475.46	1,201.90
244300	BRENT BELICH	6,925.30	713.65
258200	RUDY GASSERT YETKA	38,187.50	41.25
265250	SNAP ON TOOLS		1,598.95
268800	STOCK TIRE COMPANY	1,877.82	1,114.42
276225	KANDI KOUNTRY EXPRESS LTD	424.68	168.89
280390	ULINE	184.43	53.55
281000	UNITED ELECTRIC COMPANY	862.03	209.40
292400	XEROX CORPORATION	690.67	75.98
R0001482	UNIVERSITY OF MINNESOTA		170.00
	PUBLIC WORKS		10,703.91
COMMUNITY DEV OPERATING (CITY)			
46	COMMUNITY DEVELOPMENT		
147050	CONSOLIDATED TELEPHONE COMPANY	434.00	15.50
160600	EHLERS & ASSOCIATES, INC.		322.50

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CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 03/21/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

COMMUNITY DEV OPERATING (CITY)			
46	COMMUNITY DEVELOPMENT		
258200	RUDY GASSERT YETKA	38,187.50	123.75
292400	XEROX CORPORATION	690.67	56.97
	COMMUNITY DEVELOPMENT		518.72
LIBRARY FUND			
45	CULTURE AND RECREATION		
171525	G&K SERVICES	747.36	3.84
	CULTURE AND RECREATION		3.84
PERMANENT IMPROVEMENT			
56	CONSTRUCTION & MAINTENANCE		
200750	LANDMARK ENVIRONMENTAL, LLC		292.50
	CONSTRUCTION & MAINTENANCE		292.50
PARK FUND			
45	PARKS/RECREATION		
125700	BEST OIL COMPANY	32,650.05	535.96
134800	CARLTON COUNTY TREASURER	35.30	12.78
142800	CLOQUET SANITARY SERVICE	1,368.42	274.68
175950	GRAPHIC TECHNOLOGIES	1,430.50	140.00
179340	HAGENS GLASS & PAINT	1,817.72	552.33
197800	L & M SUPPLY CO	4,010.69	472.18
229500	NAPA AUTO PARTS	1,030.48	14.38
251800	RANDALL'S HEATING & COOLING	719.75	36.00
	PARKS/RECREATION		2,038.31
SENIOR CENTER FUND			
45	CULTURE AND RECREATION		
171525	G&K SERVICES	747.36	24.76
	CULTURE AND RECREATION		24.76

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CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 03/21/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

PUBLIC WORKS RESERVE			
41	GENERAL GOVERNMENT		
270200	SUPERIOR COMPUTER PRODUCTS INC	20,909.50	2,943.75
	GENERAL GOVERNMENT		2,943.75
CITY SALES TAX CAPITAL			
81	SPECIAL PROJECTS		
R0001349	BNSF RAILWAY COMPANY		800.00
	SPECIAL PROJECTS		800.00
WATER - LAKE SUPERIOR WATERLIN			
50	STATION ONE		
137310	CENTURY LINK	7,208.11	67.38
	STATION ONE		67.38
51	STATION TWO		
137310	CENTURY LINK	7,208.11	164.20
162750	ENVIRONMENTAL RESOURCE ASSOC.		245.72
197800	L & M SUPPLY CO	4,010.69	80.07
215800	MINNESOTA PIPE & EQUIP.	10,581.57	76.64
288150	WASTE MANAGEMENT NORTHERN MN	71.48	71.48
	STATION TWO		638.11
52	LAKE SUPERIOR WATERLINE		
123080	B & F FASTENER SUPPLY CO		95.33
125700	BEST OIL COMPANY	32,650.05	229.70
215800	MINNESOTA PIPE & EQUIP.	10,581.57	1,853.00
	LAKE SUPERIOR WATERLINE		2,178.03
57	ADMINISTRATION		
156400	CITY OF DULUTH COMFORTSYSTEMS	157.96	78.53
	ADMINISTRATION		78.53

DATE: 03/16/2017
TIME: 11:02:05
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 5

INVOICES DUE ON/BEFORE 03/21/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER - IN TOWN SYSTEM			
49	CLOQUET		
125700	BEST OIL COMPANY	32,650.05	382.83
145300	COMMUNITY PRINTING	1,934.50	494.10
171525	G&K SERVICES	747.36	13.76
179300	HACH COMPANY	414.20	473.67
179340	HAGENS GLASS & PAINT	1,817.72	9.49
180500	HAWKINS INC	9,589.81	2,760.58
197800	L & M SUPPLY CO	4,010.69	39.98
202100	LAWSON PRODUCTS INC	466.05	117.47
229500	NAPA AUTO PARTS	1,030.48	14.38
	CLOQUET		4,306.26
54	BILLING & COLLECTION		
276000	TOSHIBA FINANCIAL SERVICES	2,773.98	166.10
278600	TWIN PORT MAILING	11,213.32	3,236.32
	BILLING & COLLECTION		3,402.42
57	ADMINISTRATION & GENERAL		
142800	CLOQUET SANITARY SERVICE	1,368.42	18.31
147050	CONSOLIDATED TELEPHONE COMPANY	434.00	46.50
197800	L & M SUPPLY CO	4,010.69	25.98
258200	RUDY GASSERT YETKA	38,187.50	123.75
270200	SUPERIOR COMPUTER PRODUCTS INC	20,909.50	235.63
292400	XEROX CORPORATION	690.67	75.96
	ADMINISTRATION & GENERAL		526.13
ENTERPRISE FUND - SEWER			
55	SANITARY SEWER		
125700	BEST OIL COMPANY	32,650.05	153.13
156800	DULUTH NEWS TRIBUNE	836.81	78.38
171525	G&K SERVICES	747.36	9.18
197800	L & M SUPPLY CO	4,010.69	47.96
202100	LAWSON PRODUCTS INC	466.05	78.31
207400	MANEY INTERNATIONAL INC	4,217.83	11.59
	SANITARY SEWER		378.55

DATE: 03/16/2017
TIME: 11:02:05
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 6

INVOICES DUE ON/BEFORE 03/21/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

ENTERPRISE FUND - SEWER			
57	ADMINISTRATION & GENERAL		
142800	CLOQUET SANITARY SERVICE	1,368.42	18.31
147050	CONSOLIDATED TELEPHONE COMPANY	434.00	31.00
258200	RUDY GASSERT YETKA	38,187.50	126.25
270200	SUPERIOR COMPUTER PRODUCTS INC	20,909.50	235.62
292400	XEROX CORPORATION	690.67	75.95
	ADMINISTRATION & GENERAL		487.13
CABLE TELEVISION			
45	PUBLIC TV		
162640	ENVENTIS TELECOM INC	95.19	47.24
210450	MEDIACOM LLC.	701.98	12.54
258200	RUDY GASSERT YETKA	38,187.50	41.25
	PUBLIC TV		101.03
CLOQUET AREA FIRE DISTRICT			
42	PUBLIC SAFETY		
125700	BEST OIL COMPANY	32,650.05	2,373.54
142800	CLOQUET SANITARY SERVICE	1,368.42	39.80
	PUBLIC SAFETY		2,413.34
	TOTAL ALL DEPARTMENTS		58,759.96

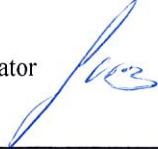


ADMINISTRATIVE OFFICES

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: James Barclay, Interim City Administrator
Date: March 15, 2017



ITEM DESCRIPTION: 4th of July Fireworks

Proposed Action

Staff recommends that the City Council move to authorize the interim City Administrator to sign a contract with Pyrotechnic Display as part of this year's 4th of July Celebration.

Background/Overview

As the City continues to work with its Events Committee on the preparation for the annual 4th of July celebration, one of the first items to address is the fireworks display. Attached is the contract with Pyrotechnics Display for the fireworks display.

As described to the Council previously, the committee is an ad-hoc group of residents unaffiliated with any specific business and/or legal non-profit agency. This status creates a variety of problems of which the Council is aware. Specifically, the committee is unable to enter into contract for services with certain service providers.

The committee has worked with the company and agreed upon a level of fireworks based upon \$10,500. This is the same level as provided in 2016. In the case of the fireworks, the City would be at risk for making payment in the situation the committee was unable to honor its obligation. There is really no other risk involved. The company is still required to obtain a display permit at a future meeting and, as part of that permit, the City is provided insurance coverage protecting it. The City has taken on this role since 2013 and has not had any problems in regards to performance by either the contractor or the fund raising efforts of the Committee.

The Committee does anticipate some challenges in 2017 in regards to the fund raising effort and as a result has stipulated that it has until May 1, 2017 to verify whether or not the contract will be in the amount of \$10,500 or something more or less. This would further protect the City.

Policy Objectives

There are no specific policy objectives that apply to this situation. It is legal for the City to enter such contracts for the proposed services.

Financial/Budget/Grant Considerations

The cost, if any, to the City through these contracts is unknown. It could range from several hundred dollars to \$10,500.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Pyrotechnic Display Inc. Contract

**PYROTECHNIC DISPLAY, INC.
FIREWORKS DISPLAY AGREEMENT**

This agreement is entered into this 15th day of March, 2017 between Pyrotechnic Display, Inc., a Minnesota Corporation with offices in Clear Lake, Minnesota, ("Pyrotechnic") and City of Cloquet of the City of Cloquet State of Minnesota ("Customer"), for the purchase of a fireworks display. ("Agreement")

SECTION 1 FIREWORKS DISPLAY

Pyrotechnic agrees to furnish for the Customer (1) fireworks display(s), as per the specifications agreed to and made part of this Agreement, on the evening of July 4, 2017. ("Fireworks Display").

SECTION 2 CONTRACT PRICE

In consideration for the Fireworks Display, Customer agrees to pay Pyrotechnic the sum of \$10,500.00 (Ten thousand five hundred and 00/100 dollars) unless such amount is otherwise amended by the City prior to May 1, 2017 based upon local fundraising efforts which includes all taxes ("Contract Price"). A service fee of 2% per month shall be added to the Contract Price, or any portion of the Contract Price due, if it is not paid within 30 days of the date payment becomes due under this Agreement.

SECTION 3 MATERIALS AND SERVICES

Pyrotechnic shall be responsible for providing inventory meeting the specifications for the Fireworks Display, and the services of an operator who will be responsible for preparing and conducting the Fireworks Display. The materials and personnel described in the attached specifications are approximate. Pyrotechnic shall prepare a final design prior to the Fireworks Display, and the exact specifications will be supplied to the Customer after the final design, upon request.

SECTION 4 INSURANCE

Pyrotechnic Display, Inc. shall obtain a Public Liability and Property Damage and Workers Compensation Insurance. Those entities/individuals listed on the certificate of insurance shall be deemed an additional insured per this contract.

SECTION 5 LOCATION

Customer shall be responsible for providing a suitable location for the Fireworks Display. Customer shall cooperate with Pyrotechnic to ensure that the site is suitable for the Fireworks Display, and Pyrotechnic shall have the right to reject a proposed site for lack of accessibility, fire or other safety reasons.

In addition to providing the location, Customer shall be responsible for:

- Providing an appropriate staging area, and a minimum spectator setback of 420 feet.
- Providing for the staging area to be roped off or otherwise clearly marked as off limits to unauthorized personnel.
- Searching the fallout area at first light following a nighttime display.
- Providing security, police and fire protection, to ensure 1) that the staging area and the surrounding setback area will be free from unauthorized persons, and 2) the safety of people in or around the display location.

SECTION 6 WEATHER RELATED POSTPONEMENT AND CANCELLATION.

Customer acknowledges that the Fireworks Display will be provided so long as weather, and weather related conditions, including but not limited to drought and fire risk, permit. If weather or weather related conditions, in the sole discretion of Pyrotechnic, prevent the Fireworks Display on the agreed upon date, the Fireworks Display shall be postponed. In the event of a postponement of the Fireworks display, Customer shall be responsible for payment of 20% of the Contract Price, which shall be due within 30 days of the date agreed to in Section 1. If Customer does not reschedule the Fireworks Display within the twelve-month period, an additional 30% of the Contract Price shall be due from the Customer for damages and expenses relating to the cancellation.

If customer chooses to postpone or cancel the Fireworks Display for any reason, customer shall be responsible for payment of the Contract Price as follows:

- At any time prior to the scheduled date of the Fireworks Display, 5% of the Contract Price.
- At any time on the scheduled date for the Fireworks Display, 20% of the Contract Price
- After the commencement of the Fireworks Display, where Pyrotechnic's operator has not determined that the postponement is necessary for weather or weather related circumstances, 100% of the Contract Price.

SECTION 7 INDEMNIFICATION

Customer shall indemnify, defend, and hold Pyrotechnic and its shareholders, officers, employees, agents, insurers, and representative harmless from all demands, claims, causes of action, judgments, or liability, including costs and attorneys' fees, arising from damage or destruction of property, bodily injuries, tort, contract, or otherwise. Said indemnification shall include occurrences relating to gross negligence or willful misconduct of the Customer or its employees, agents, contractors or representatives, or the failure of the Customer to comply with its obligations and responsibilities as set forth in this Agreement.

Pyrotechnic shall indemnify, defend, and hold Customer harmless from all demands, claims, causes of action, judgments, or liability, including without limitation costs and attorneys' fees, arising from damage or destruction of property, bodily injuries, tort, contract, or

otherwise. Customer shall not be entitled to recover consequential, incidental, exemplary, special and/or punitive damages from Pyrotechnic, including, without limitation, loss of income, business, or profits.

SECTION 8 NON-PARTNERSHIP

It is further agreed and mutually understood that nothing in this contract shall be constructed or interpreted to mean a partnership, both parties being hereto responsible for their separate and individual debts and obligations. Neither party shall be responsible for any agreements not stipulated in this contract. Customer agrees to pay any and all collection costs, including reasonable attorney's fees and court costs incurred by Pyrotechnic Display, Inc. in the collection or attempted collections of any amount due under this agreement and invoice.

SECTION 9 VENUE

Any action on or relating to this Contract, the parties hereto consent to the exclusive jurisdiction and venue of the state courts located in Sherburne County, Minnesota and of the federal courts located in Minnesota.

SECTION 10 NOTICES

All notices under this Contract must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the party to be notified may have designated to the sender by like notice): Pyrotechnic Display, Inc., 9405 River Road SE, Clear Lake, MN 55319, (800) 507-9074, Ext. 1

SECTION 11 LEGAL CONSTRUCTION

If any provision of this Contract is held to be illegal, invalid or otherwise unenforceable, then:

- A) The same shall not affect other terms or provisions of this Contract; and
- B) Such terms or provision shall be deemed modified to the extent necessary to render such term or provision enforceable and the rights and obligations of the parties shall be construed and enforced accordingly, preserving to the fullest extent the intent and agreements of the parties set forth herein.

SECTION 12 ENTIRE AGREEMENT

This Contract and the Fireworks Exhibition and Display Program constitutes the entire agreement between the parties hereto, and there are no other understandings, either oral or written, regarding to the subject matter hereof. The parties hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the undersigned executed this Contract by and through their authorized representatives whose names appear below.

Signed on: March 15, 2017.

Signed on: _____, 20____.

PYROTECHNIC DISPLAY, INC.

CUSTOMER:

BY: Mark C. Hanson

BY: _____

Its duly authorized agent, who represents he/she has full authority to bind the customer

NAME: Mark C. Hanson
(PLEASE TYPE OR PRINT)

NAME: _____
(PLEASE TYPE OR PRINT)

ITS: Event Producer

ITS: _____

Pyrotechnic Display, Inc.
9405 River Road SE
Clear Lake, MN 55319
Telephone: (800) 507-9074, Ext. 1

Address: _____
City/State: _____,
Zip Code: _____
Telephone: () - _____
Email: _____



DEPARTMENT OF PUBLIC WORKS

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

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, Director of Public Works
Reviewed by: James Barclay, Interim City Administrator
Date: March 21, 2017

ITEM DESCRIPTION: 3rd Street Reconstruction Special Assessments

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION NO. 17-25, A RESOLUTION ADOPTING ASSESSMENTS FOR THE IMPROVEMENT OF 3RD STREET FROM CLOQUET AVENUE TO CARLTON AVENUE.**

Background/Overview

A Public Hearing on the improvement of 3rd Street from Cloquet Avenue to Carlton Avenue was held on March 2, 2016 and following the hearing, the City Council ordered the improvement. Bids for the project were awarded on May 3, 2016 and construction was completed during the summer of 2016. This project included the replacement of existing sanitary sewer and water utilities as well as the reconstruction of the street to include a new storm sewer system, curb, pavement and sidewalk. In accordance with Chapter 12 of the City Code, a portion of the costs of these improvements are to be assessed or billed to properties along the project route.

A final assessment roll for the improvement has been prepared. In accordance with MN Statutes Chapter 429, the City Council gave notice of a Public Hearing to be held on March 21, 2017, at which time all property owners affected by the improvement will be given an opportunity to express concerns with reference to the final assessment.

The final assessment roll includes 43 individual property parcels and the total proposed assessment is approximately \$201,015. All of the individual assessments were calculated based on specific rules and formulas outlined in Chapter 12 of City Code. Assessments would be payable in equal annual installments extending over a period of ten (10) years and bear interest at a rate of four percent (4%) per annum. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to April 20, 2017. Any principal not paid by November 30th 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.

Written or oral objections will be considered at the hearing however no appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the Administrator prior to the meeting or presented to the presiding officer at the hearing. An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within 30 days after adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or Administrator.

Under MN Statutes 435.193 to 435.195, and Chapter 12 of the City Code, the council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. When deferment of the special assessment has been granted and is terminated for any reason provided in the law, all amounts accumulated plus applicable interest become due. Any assessed property owner meeting the requirements of this law and the ordinance adopted under it may, within 30 days of the confirmation of the assessment, apply to the city administrator for the prescribed form for such deferral of payment of this assessment on his property.

At the conclusion of the public hearing, Council may wish to seek input from the public regarding parking regulations along 3rd Street. The roadway was widened to 32 feet between 2nd Street and Carlton Avenue in order to accommodate parking along one side under current State requirements. Council previously passed a resolution restricting parking to one side of the street in this area however the resolution was not specific as to which side was to be posted. Staff would recommend restricting parking along the west side of 3rd Street to prevent difficulties climbing the hill from a stop condition during the winter months, however, the number of residences along the west side is higher than the east so this may not be the preferred alternative of area residents.

Policy Objectives

To adopt final assessments for the completed improvements in accordance with current City Code and State Statute.

Financial/Budget/Grant Considerations

The total cost of the final construction contract for this project was \$935,623. The proposed assessment roll totals \$201,015 which amounts to approximately 21% of the total contract.

Advisory Committee/Commission Action

N/A

Supporting Documents Attached

- Resolution No. 17-25
- Final Project Assessment Roll
- 3rd Street Speed and Stop Sign Evaluation

**CITY OF CLOQUET
COUNTY OF CARLTON
STATE OF MINNESOTA
RESOLUTION NO. 17-25**

**RESOLUTION ADOPTING ASSESSMENTS FOR THE IMPROVEMENT OF 3RD STREET
FROM CLOQUET AVENUE TO CARLTON AVENUE**

WHEREAS, In 2016, the City Council received an engineering study to reconstruct 3rd Street from Cloquet Avenue to Carlton Avenue, including the replacement of existing sanitary sewer and water mains; and

WHEREAS, The Cloquet City Council on March 2, 2016, held a hearing to consider the improvement of this section of 3rd Street; 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 March 21, 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 ten (10) years and shall bear interest at a rate of four percent (4%) per annum from April 20, 2017. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to April 20, 2017. Any principal not paid by November 30th 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.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 21ST DAY OF MARCH, 2017.

ATTEST:

Dave Hallback, Mayor

James Barclay, Interim City Administrator

2016 3rd Street Reconstruction
 Bituminous Pavement and Utility Reconstruction
 City Contract No. 1058

Final Project Assessment Roll

<u>Property Owner</u>	<u>Description</u>	<u>Parcel No.</u>	<u>Assessed Frontage</u>	<u>Street</u>	<u>Utilities</u>	<u>Total Assessment</u>
<u>CITY OF CLOQUET ORIGINAL PLAT (Plat 045)</u>						
FREY, JAMES L & LOIS 48 2ND ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 12 COM AT SE COR OF LT 12 TH S 50 FT ON W L OF 3RD ST TH W 75 FT ON N L OF AVE F TH N 50 FT TO SW COR OF LT 12 TH E 75 FT TO BEG DOCKET T 15067	06-045-0540	50.0	\$1,355.76 Corner Lot Short Side	\$2,101.58 water only	\$3,457.34
CHAD WAPPES 418 - 4TH ST CLOQUET MN 55720 45 3RD ST	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 12	06-045-0560	59.0	\$1,599.80	\$4,203.16	\$5,802.96
RYAN PAULSON 43 3RD ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 13	06-045-0580	59.0	\$1,599.80	\$4,203.16	\$5,802.96
TYLER RYAN 39 3RD ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 14	06-045-0600	59.0	\$1,599.80	\$4,203.16	\$5,802.96
COOK, LARRY 35 3RD ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 15	06-045-0620	59.0	\$1,599.80	\$4,203.16	\$5,802.96
CROTTEAU, BRANDON J & NICOLE P 70 E HARNEY RD ESKO MN 55733 31 3RD ST	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 16	06-045-0640	59.0	\$1,599.80	\$4,203.16	\$5,802.96

LAUGHLIN, STEVEN F
27 3RD ST
CLOQUET MN 55720

CITY OF CLOQUET ORIGINAL PLAT
Block: B Lot: 17

06-045-0660

59.0

\$1,599.80

\$4,203.16

\$5,802.96

OBST, WILLIAM K & CHEREE A 23 3RD ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 18 S 56 FT DOCKET 211727 & 240684 & 250254 & 264647 & 271002 & 275426	06-045-0680	56.0	\$1,518.45	\$4,203.16	\$5,721.61
VORK, WESLEY G 1622 HEIDELBERG DR CARLTON MN 55718 19 3RD ST	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: LOT 19 & N 3 FT OF LOT 18 DOCKET 284830 & 304597	06-045-0720	62.0	\$1,681.14 Corner Lot Short Side	\$4,203.16	\$5,884.30
BOC LIMITED LIABILITY COMPANY 30 N 8TH ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 20	06-045-0740	9.0	\$244.04 Corner Lot Short Side	\$0.00	\$244.04
BEST OIL CO 30 N 8TH ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 21	06-045-0760	59.0	\$1,599.80 Corner Lot Short Side	\$0.00	\$1,599.80
MCKINNEY, JOYCE L REVOCABLE TRUST 30 N 8TH ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: B Lot: 22	06-045-0780	59.0	\$1,599.80 Corner Lot Short Side	\$0.00	\$1,599.80
US POSTAL SERVICE ATTN: DEB LINDQUIST - POSTMASTER 316 CLOQUET AVE CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 1 & 2 CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 3	06-045-0800	118.0	\$0.00 Not Assessable	\$0.00	\$0.00
		06-045-0820	59.0	\$0.00 Not Assessable	\$0.00	\$0.00
MILLER, RONALD H 34572 LORDS DR STURGEON LAKE MN 55783	CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 4	06-045-0840	59.0	\$1,599.80	\$4,203.16	\$5,802.96
20 3RD ST 26 3RD ST	CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 6	06-045-0880	59.0	\$1,599.80	\$4,203.16	\$5,802.96

ONE ROOF COMMUNITY HOUSING 12 E 4TH ST DULUTH MN 55805 24 3RD ST	CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 5	06-045-0860	59.0	\$1,599.80	\$4,203.16	\$5,802.96
HUHTA, EMILY R 28 3RD ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 7	06-045-0900	59.0	\$1,599.80	\$4,203.16	\$5,802.96
WESTENDORF, KACY G (JACOBS) 34 3RD ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 8	06-045-0920	59.0	\$1,599.80	\$4,203.16	\$5,802.96
SWENSON, CRAIG A 38 3RD ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 9 CITY OF CLOQUET ORIGINAL PLAT Block: C Lot: 10	06-045-0940 06-045-0960	59.0 59.0	\$1,599.80 \$0.00	\$4,203.16	\$5,802.96 \$0.00
PRESBYTERIAN CHURCH OF CLOQUET 47 4TH ST CLOQUET MN 55720	CITY OF CLOQUET ORIGINAL PLAT Block: C Lot:11	06-045-0980	59.0	\$0.00	\$4,203.16	\$4,203.16
	CITY OF CLOQUET ORIGINAL PLAT Strip of land 50' by 77.5' lying South of Lot 11	?	50.0	\$0.00		\$0.00
	CITY OF CLOQUET ORIGINAL PLAT Vacated ROW between 3rd & 4th Streets	?	66.0	\$0.00		\$0.00
<u>ALLENS SUBD OF BLKS 63-74 & 89-98 (Plat 005)</u>						
KEY, MATTHEW C & DEANNE L 122 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 68 Lot: 7	06-005-0540	50.0	\$1,355.76 Corner Lot Short Side	\$4,203.16	\$5,558.92
MACKLIN, TAMMY PO BOX 123 CLOQUET MN 55720 120 3RD ST	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 68 Lot: 8 & 9	06-005-0560	100.0	\$2,711.52	\$4,203.16	\$6,914.68
JENSEN, BEVERLY ROYETTE 106 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 68 Lot: 10, 11, & 12	06-005-0640	150.0	\$4,067.28	\$4,203.16	\$8,270.44

MANTHEY, GERALD L 612 CLOQUET AVE CLOQUET MN 55720 101 3RD ST	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 69 Lot: 1	06-005-0660	50.0	\$1,355.76 Corner Lot Short Side	\$2,101.58 Water Only	\$3,457.34
NOSIE, ERIC 105 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 69 Lot: 2	06-005-0680	50.0	\$1,355.76	\$2,101.58 Water Only	\$3,457.34
HANSMEYER, EUGENE M & LILA O 120 HOLM RD ESKO MN 55733 109 3RD ST	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 69 Lot: 3	06-005-0700	50.0	\$1,355.76	\$2,101.58 Water Only	\$3,457.34
SAARELA, ALEXSIS E & PETER 115 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 69 Lot: 4	06-005-0720	50.0	\$1,355.76	\$4,203.16	\$5,558.92
JONES, DANIEL M & DIANA C 119 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 69 Lot: 5	06-005-0730	50.0	\$1,355.76	\$4,203.16	\$5,558.92
ST MARIE, LAWRENCE P 123 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 69 Lot: 6	06-005-0740	50.0	\$1,355.76 Corner Lot Short Side	\$4,203.16	\$5,558.92
BEMIS, JOHN E 6231 CHURCH RD EXCELSIOR, MN 55331-8836 203 3RD ST	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 94 Lot: 1	06-005-1300	50.0	\$1,355.76 Corner Lot Short Side	\$4,203.16	\$5,558.92
SMITH, HEATHER M 205 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 94 Lot: 2	06-005-1320	50.0	\$1,355.76	\$4,203.16	\$5,558.92

LARSON, AVIS 209 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 94 Lot: E 15 FT OF LOT 8 ALL OF LOT 3	06-005-1340	50.0	\$1,355.76	\$4,203.16	\$5,558.92
LEMKE, GLORIA 7098 S CLEVELAND RD LAKE NEBAGAMON WI 54849 215 3RD ST	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 94 Lot: LOT 4 AND E 10 1/2 FT LOT 7 DOCKET 270467 & 278383	06-005-1360	50.0	\$1,355.76	\$4,203.16	\$5,558.92
ERICKSON, KEITH D 217 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 94 Lot: COM SE COR OF LOT 5 TH N 36 FT 4 IN TO PT OF BEG TH W 52 FT TH N 34 FT 8 IN TO N LN OF LOT 5 TH E 52 FT TH S 34 FT 8 IN TO PT OF BEG	06-005-1380	34.7	\$940.08	\$4,203.16	\$5,143.24
CARLSON, BRIAN L 219 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 94 Lot: BEG AT SE COR OF LOT 5 TH N 36 FT 4 IN ON E LN OF LOT TH W 36 FT TH S 36 FT 4 IN TO S LN OF LOT TH E 36 FT TO BEG & A TRT OF LAND IN LOT 5 FOR DRIVEWAY DESC AS FOLL BEG AT PT ON S LN OF LOT 5 36 FT W OF SE COR TH N 36 FT 4 IN TH W 16 FT TO PT 109 FT E FR	06-005-1420	34.3	\$930.86 Corner Lot Short Side	\$4,203.16	\$5,134.02
ANDERSON, MA CHONA G 305 CARLTON AVE CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 95 Lot: 6	06-005-1640	71.0	\$1,925.18 Corner Lot Short Side	\$4,203.16	\$6,128.34
HAUSBERRY, SHANNON & 216 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 95 Lot: 7	06-005-1660	50.0	\$1,355.76	\$4,203.16	\$5,558.92
ESALA, CAROL L 210 3RD ST CLOQUET MN 55720	ALLENS SUBD OF BLKS 63-74 & 89-98 Block: 95 Lot: 8	06-005-1680	50.0	\$1,355.76	\$4,203.16	\$5,558.92

WATTERS, TIMOTHY B & DONNA J

ALLENS SUBD OF BLKS 63-74 & 89-98

06-005-1700

50.0

\$1,355.76

\$4,203.16

\$5,558.92

208 3RD ST
CLOQUET MN 55720

Block: 95 Lot: 9

OLSON, LANNY M ETUX

ALLENS SUBD OF BLKS 63-74 & 89-98

06-005-1720

50.0

\$1,355.76

\$4,203.16

\$5,558.92

202 3RD ST
CLOQUET MN 55720

Block: 95 Lot: 10

Corner Lot Short Side

Total Assessed Frontage ---- 2554.0

	<u>Street</u>	<u>Utilities</u>	<u>Total Assessment</u>
Total Assessed Amount ----	\$58,107.87	\$142,907.44	\$201,015.31
			0.2148

Assessment Payment Breakdown:			
	Curb	\$ 7.43	Per FF
	Bituminous	\$ 19.69	
		\$ 27.12	Per FF
	Water & Sewer Utility Reconstruction	\$ 71.24	Per FF
	59ft Typical Lot = \$4,203.16 Per Connection		

Approved By Council N/A



DEPARTMENT OF PUBLIC WORKS

1307 Cloquet Avenue; Cloquet, MN 55720
Phone: (218) 879-6758 Fax: (218) 879-6555
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To: Caleb Peterson, Public Works Director
From: John Anderson, Assistant City Engineer
Date: March 13, 2017

RE: Stop Sign Request on 3rd Street

Background

3rd Street was reconstructed during the summer of 2016 between Carlton Avenue and Cloquet Avenue. Since that work has been completed some City Councilors have heard feedback from residents along 3rd street that speeds have increased with the new pavement. Additionally some residents have suggested that a four way stop condition be applied at either Avenue G or Avenue F as a means of controlling speed. Currently both the intersection at Avenue G and Avenue F are stop condition on the lower volume side streets and thru condition on the higher volume, 3rd Street.

Discussion

To understand the issues related to these questions we need to answer a few question. The first question being, **is there evidence of a speeding problem along 3rd street currently?** This question can be answered by recording traffic behavior and documenting the findings. Traffic counts along with speed measurements were recorded prior to the construction project as well as after construction was completed. The following is a summary of pre and post project traffic/speed data

Condition	AADT	Mean Speed	85 th Percentile	%>than 30 MPH
Pre project	308	21 MPH	27 MPH	5.4%
Post project	318	24 MPH	29 MPH	12.4%

The average annual daily traffic (AADT) is an estimation of how many vehicle trips per day use the roadway. The mean speed is an average of all vehicles that are measured during the data collection. The 85th percentile means 85 percent of the vehicles are at this speed or less. The 85th percentile is often used as the bench mark to measure from as you will always have outlying data points. The %>than 30 MPH is the percent of vehicles counted that were observed traveling over the 30 MPH rate.

The following conclusions can be made from the data collected

1. Traffic volumes have not changed significantly as a result of the project
2. Speeds have increased 2 to 3 MPH with the new road surface in place
3. Speeds are generally not excessive to the point where a change in control, enforcement or the alignment is justified.

The second question we need to investigate is, **would the addition of a stop condition on 3rd Street at either Avenue G or Avenue F be beneficial?** The primary resource engineers turn to when we are discussing traffic control is the Minnesota Manual on Uniform Traffic Control Devices (MMUTCD) and its more general companion the Manual on Uniform Traffic Control Devices (MUTCD) which is used across the United States.

The MMUTCD has the following guidance for placement of a stop sign

Yield or Stop Sign installation

YIELD or STOP signs should be used at an intersection if one or more of the following conditions exist:

- A. An intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;*
- B. A street entering a designated through highway or street; and/or*
- C. An unsignalized intersection in a signalized area. In addition, the use of YIELD or STOP signs should be considered at the intersection of two minor streets or local roads where the intersection has more than three approaches and where one or more of the following conditions exist:
 - A. The combined vehicular, bicycle, and pedestrian volume entering the intersection from all approaches averages more than 2,000 units per day;*
 - B. The ability to see conflicting traffic on an approach is not sufficient to allow a road user to stop or yield in compliance with the normal right-of-way rule if such stopping or yielding is necessary; and/or*
 - C. Crash records indicate that five or more crashes that involve the failure to yield the right-of-way at the intersection under the normal right-of-way rule have been reported within a 3-year period, or that three or more such crashes have been reported within a 2-year period.**

In many low volume situations with no unusual history of intersection crashes, no control at the intersections is a cost effective strategy. Research suggests that at most locations, increasing the level of intersection control will not improve safety (see FHWA-RD-81-084 Stop, Yield and No Control at Intersections).

Crash data was reviewed through the MnDOT MnCMAT Crash Analysis Application. There is a record of two crashes along this stretch of roadway. There is no record of crashes that would be impacted by speed limit. The crashes on record occurred in 2007 and 2014 and both were vehicles that were backing up and hit another vehicle.

Since the side streets are currently stop condition at their intersection with 3rd Street, addition of a stop condition on 3rd Street would be a multi way stop. The MMUTCD has very specific guidance on when to implement a multi-direction Stop. The following is the guidance related to a multi way stop condition:

Multi Way Stop (4 way)

The following criteria should be considered in the engineering study for a multi-way STOP sign installation:

- A. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.*
- B. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.*

C. Minimum volumes:

- 1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and*
- 2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but*
- 3. If the 85th-percentile approach speed of the major- street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.*

D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

The MMUTCD does not have speed as criteria for installing a stop condition on one or multiple legs of an intersection. In fact studies have shown a great deal of negative impacts of installing a stop sign for the purposes of controlling speed, especially in a location where it is not warranted. First and foremost studies have shown that in general speeds will go up on the system as drivers try to make up for the perceived loss of time at the stop sign. Another negative impact of installing a stop sign in a location where it is not warranted is the compliance rate is much lower than in other locations where stop signs are needed. If compliance goes down and drivers typically roll through, or just do not stop, pedestrian safety suffers as a result. The stop sign can create a false sense of security, if pedestrians believe drivers will stop and they do not look closely before crossing the street.

Recommendation

Based on the data collected there is not a measurable speeding problem in the neighborhood on 3rd Street. Based on the information available through the crash analysis tool there is no history of speed or intersection control related accidents. Additionally if there were a problem with speed on 3rd Street there is no basis to recommend installation of a stop condition on 3rd Street that would have a positive effect. Therefore there is no basis to recommend installation of a stop sign on 3rd Street at Avenue G or Avenue F.

Typically traffic counts are collected during the summer months to insure snow events do not skew the data. Since traffic counts and speed data was collected early in 2017, staff will plan to do follow up counts during the summer months and report back to the City Council with the findings.

Using Stop signs as speed control is not a new topic for city staff and elected officials. This conversation takes place in every city and every state. For reference I have attached a pamphlet prepared by the office of highway safety planning, Michigan. The document does a great job of describing the typical scenario where a stop sign is requested to control speeds and what alternatives are available when residential speeding problem does exist.

Attachments

Attachment A – 2016 AADT 3rd Street
Attachment B – 2017 AADT 3rd Street
Attachment C – 2016 Speed Counts 3rd Street

Attachment D – 2017 Speed Counts 3rd Street
Attachment E – Crash Data – 3rd Street
Attachment F – Speed Control in Residential Areas



Crash Detail Report

3rd st data

Report Version 1.0 March 2010

Crash ID: 072760019

Date: 07/28/2007

Time: 0900

Sys: 05-MSAS

County: CARLTON

City: CLOQUET

Route: 07500145

000+00.265

Severity: PROPERTY DAMAGE

Road Type: 2 LANES UNDIV 2_WAY

Road Char: STRAIGHT AND GRADE

Crash Type: COLL W/MV IN TRANSPORT

Surf Cond: DRY

Light Cond: DAYLIGHT

Weather 1: CLEAR

Weather 2: NOT SPECIFIED

First Event: ON ROADWAY

To Junction: T-INTERSECTION

Traffic Device: NOT APPLICABLE

Speed Limit: 30

Diagram: RIGHT ANGLE

Officer:

Reliability: CONFIDENT

of Vehicles: 2.00

Unit 1

Trav Dir: W

Veh Act: BACKING

Veh Type: VAN OR MINIVAN

Age: 73

Gender: M

Cond: NORMAL

Cont Fact 1 UNSAFE BACKING

Cont Fact 2 DISTRACTION

Unit 2

Unit 3

Crash ID: 143200153

Date: 11/15/2014

Time: 0957

Sys: 05-MSAS

County: CARLTON

City: CLOQUET

Route: 07500145

000+00.180

Severity: PROPERTY DAMAGE

Road Type: 2 LANES UNDIV 2_WAY

Road Char: STRAIGHT AND GRADE

Crash Type: COLL W/PARKED MV

Surf Cond: SNOW

Light Cond: DAYLIGHT

Weather 1: CLOUDY

Weather 2: NOT SPECIFIED

First Event: OFF ROADWAY ON SHOULDER

To Junction: NON-JUNCTION

Traffic Device: NOT APPLICABLE

Speed Limit: 30

Diagram: RIGHT ANGLE

Officer:

Reliability: LESS CONFIDENT

of Vehicles: 2.00

Unit 1

Trav Dir: W

Veh Act: BACKING

Veh Type: PICKUP TRUCK

Age: 49

Gender: M

Cond: NORMAL

Cont Fact 1 UNSAFE BACKING

Cont Fact 2 NOT SPECIFIED

Unit 2

Unit 3

Selection Filter:

WORK AREA: COUNTY_CODE('09') - SPATIAL FILTER APPLIED

Analyst:

john anderson

Notes:



ADMINISTRATIVE OFFICES

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: James Barclay, Interim City Administrator
Date: March 15, 2017

ITEM DESCRIPTION: Sale of Intoxicating Liquor Ordinance Amendments

Proposed Action

Staff recommends that the City Council move to adopt **ORDINANCE NO. 463A, AN ORDINANCE AMENDING SECTION 6.2 & 6.3 OF THE MUNICIPAL CODE AS IT RELATES TO THE SALE OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR ON SUNDAYS.**

Background/Overview

Under recently passed Minnesota Statute, the City is now required to amend its municipal code to address the Sunday sales of intoxicating liquor which begins Sunday, July 2, 2017. The City currently restricts sale of intoxicating and 3.2 percent malt liquor on Sundays under Sections 6.2 and 6.3 of the City Code.

During the most recent legislative session, under the laws of Minnesota, Chapter 6, the legislature made changes to authorize the sale of intoxicating liquor. Under the new law, off-sale of intoxicating liquor may now occur on Sundays between the hours of 11:00 a.m. and 6:00 p.m. as of July 1, 2017.

In previous case law the Minnesota Court of Appeals held that cities may not prohibit sales of liquor on a day when state law allows it. In other words, cities may not be more restrictive than state law on days of sale. At the same time, the court acknowledged cities can be more restrictive than state law in the hours of sale. The law does include two provisions that disallow alcohol deliveries to off-sale licensees and order solicitation/merchandising by wholesalers, both on Sundays. Staff is not proposing to amend the Code to include these two provisions as the City would already be required to follow these provisions under Minnesota law.

Policy Objectives

As noted, Sunday sale of intoxicating and 3.2 percent malt liquor will be legal effective July 1, 2017 as cited in Minnesota Law Chapter 6. The changes to the City's Code will mirror Minnesota Law.

Financial/Budget/Grant Considerations

None

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Ordinance No. 463A
- Excerpt of Chapter 6, provision amending the sale of Intoxicating liquor on Sundays

ORDINANCE NO. 463A

**AN ORDINANCE AMENDING SECTIONS 6.2 AND 6.3
OF THE CITY CODE AS IT RELATES TO THE
SALE OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR ON SUNDAYS**

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

Section 1. That Section 6.2.33 Subdivision 1, (1) be amended to read as follows:

1. On Sundays; except between the hours of 11:00 a.m. and 6:00 p.m.

Section 2. That Section 6.3.11 Subdivision 3, (1) be amended to read as follows:

1. On Sundays; except between the hours of 11:00 a.m. and 6:00 p.m.

Section 3. Effective Date. This ordinance shall take effect and be in force effective July 1, 2017 and after its passage and publication in accordance with law.

Passed this 21st day of March, 2017.

CITY OF CLOQUET

By: _____
Its Mayor

ATTEST:

By: _____
Its Interim City Administrator

Published this _____ day of _____, 2017.

2017 Minnesota Session Laws

Key: (1) language to be deleted (2) new language

Found 3 matches for intoxicating

CHAPTER 6--H.F.No. 30

An act relating to liquor; permitting the off-sale of intoxicating liquor on Sundays; prohibiting certain deliveries on Sunday; amending Minnesota Statutes 2016, section 340A.504, subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2016, section 340A.504, subdivision 4, is amended to read:

Subd. 4. **Intoxicating liquor; off-sale.** (a) No sale of intoxicating liquor may be made by an off-sale licensee:

- (1) on Sundays, except between the hours of 11:00 a.m. and 6:00 p.m.;
- (2) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
- (3) on Thanksgiving Day;
- (4) on Christmas Day, December 25; or
- (5) after 8:00 p.m. on Christmas Eve, December 24.

(b) No delivery of alcohol to an off-sale licensee may be made by a wholesaler or accepted by an off-sale licensee on a Sunday. No order solicitation or merchandising may be made by a wholesaler on a Sunday.

EFFECTIVE DATE. This section is effective July 1, 2017.

Presented to the governor March 3, 2017

Signed by the governor March 7, 2017, 2:31 p.m.

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COMMUNITY DEVELOPMENT DEPARTMENT

1307 Cloquet Avenue • Cloquet MN 55720

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Al Cottingham, City Planner/Zoning Administrator
Reviewed/Approved By: James Barkley, Interim City Administrator
Date: March 15, 2017

ITEM DESCRIPTION: Zoning Case 17-03: Site Plan for Marvin Development IV, LLC (Taco Bell) 1418 Highway 33 South

Proposed Action

The Planning Commission recommends the City Council move to adopt **RESOLUTION NO. 17-22, A RESOLUTION APPROVING THE SITE PLAN IN THE RC-REGIONAL COMMERCIAL DISTRICT FOR MARVIN DEVELOPMENT IV, LLC.**

Background/Overview

Marvin Development IV, LLC has submitted a Site Plan application for Taco Bell to be located at 1418 Highway 33 South. The Site Plan is for Taco Bell with associated parking, landscaping, grading and drainage and building location.

Attached the Council will find the following plans for this development:

- Site Plan
- Grading and Drainage Plan
- Utility Plan
- Landscape Plan
- Lighting Plan
- Building Elevations

Stormwater Management: (Section 18.6)

The developer has also run a hydraulic model for storm water which has been reviewed by the City Engineer, comments attached, and meets requirements. There is an existing storm water pipe in the northeast corner of the site that will be connected to for the drainage of the site.

The Code requires private stormwater areas to meet the following requirements:

1. A permanent public easement shall be provided to the city for access for inspection and/or maintenance purposes. Cost incurred by the city for any maintenance of private systems will be billed and/or assessed to the owner/operator.
2. Recorded inspection and maintenance agreements that define inspection and maintenance responsibilities are required. A minimum annual inspection for private systems shall be required. These requirements are transferrable to any party that becomes the owner/operator of the site.

3. An inspection and maintenance plan shall be developed, approved and included as an attachment to the maintenance agreement. At a minimum, maintenance plans must include the following:
 - a. Responsible person(s) for completing inspections and conducting maintenance.
 - b. Frequency of inspections and maintenance.
 - c. Inspection checklist and type of maintenance anticipated.
4. If site configurations or structural stormwater BMPs change causing decreased BMP effectiveness, new or improved structural stormwater BMPs must be implemented to meet the requirements of this section.
5. The property owner shall keep on file all structural stormwater BMP annual inspection and maintenance records for 5 years and submit to the City as requested.
6. The City shall require the submittal of a letter of credit or other financial security in a form acceptable to the City in the amount of \$5,000 to ensure the stormwater treatment systems are installed correctly and in accordance with this ordinance.

Since this ponding area will also be collecting water from Holmes Drive, the City will be maintaining the stormwater treatment system.

Impervious Surface: (Section 17.6.11, Subd. 5. E and F)

The zoning district allows the maximum building coverage to be 60% with a maximum impervious surface coverage of 70%. The impervious surface coverage is approximately 53% which is below what is allowed for the building by itself.

Building Setbacks: (Section 17.6.11, Subd. 5. B)

The ordinance requires that the minimum front setback be 35 feet, the minimum side yard setback be 20 feet and the minimum rear yard setback be 30 feet. It has been determined that the site has two front yards, a side yard and a rear yard. With the exception of the front yard setback to Tall Pine Lane, which a variance was approved for, the setbacks to the other property lines are met.

Landscaping: (Section 17.5.04 Subd. 5.)

The landscape plan shows 18 overstory plantings, the site is required to have 18 overstory plantings in addition to understory trees and shrubs. The plan shows that with the exception of the stormwater areas the site will be irrigated.

Parking: (Section 17.5.11 Subd. 6.)

The site is required to have 36 parking spaces based on 1 parking stall per 40 square feet of seating area plus 1 per 80 square feet of kitchen area. The site plan shows 36 parking spaces.

Trash Storage: (Section 17.5.15 Subd. 7. A (7))

The trash storage area can either be inside the building or an exterior enclosure. The trash storage area will be inside the building.

Signage: (Section 17.5.13 Subd. 14.)

The plan shows a pylon sign, wall signage and a menu board. The proposed pylon sign and wall signs are below the maximum allowed. A variance was approved for the size of the menu board sign.

Lighting: (Section 17.5.12 Subd. 5. B)

The applicant has provided a photometric plan along with detail sheets which display downward facing fixtures that emit footcandle readings that are compliant with City lighting standards.

Other Site Plan Items:

Pedestrian access to the site will be via a new sidewalk extending south from Tall Pine Lane the distance of the site and an extension to the building from that sidewalk. They are also showing a bike rack on the site.

Policy Objectives

The purpose of this Site Plan Review application is to ensure that this development project is aligned with City development standards.

Financial/Budget/Grant Considerations

The Site Plan fees were paid.

Advisory Committee/Commission Action

The Planning Commission has recommended approval of the Site Plan on a 5-0 vote, 1 absent, 1 abstain.

Supporting Documents Attachments

- Resolution No. 17-22
- Location Map
- Engineer's Memo
- Site Plan Maps

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

RESOLUTION NO. 17-22

**A RESOLUTION APPROVING A SITE PLAN IN THE RC – REGIONAL COMMERCIAL
DISTRICT FOR MARVIN DEVELOPMENT IV, LLC**

WHEREAS, Marvin Development IV, LLC is proposing a Site Plan in the RC – Regional Commercial District for Taco Bell; and

WHEREAS, the property of the proposed Site Plan is located at 1418 Highway 33 South and is legally described as follows:

All that part of the Southwest ¼ of the Northeast ¼, Section 26, Township 49, North of Range 17, West of the Fourth Principal Meridian, Carlton County, Minnesota described as follows: Commencing at the Northeast corner of said Southwest ¼ of the Northeast ¼, thence running South on the East line of said quarter a distance of 350 feet; thence running Westerly at right angles with said East line of said quarter to the Easterly right-of-way line of said Highway 33 a distance of 200 feet to the point of beginning; thence deflecting to the left at an angle of 90 degrees and running Easterly a distance of 300 feet to a point; thence running in a Southerly direction on a line parallel with the East line of said quarter a distance of 200 feet to a point; thence running Westerly a distance of 300 feet, more or less, to a point 200 feet South of the point of beginning located on the East right-of-way line of Highway 33; thence running Northerly along the East right-of-way line of Highway 33 a distance of 200 feet to the point of beginning. And,

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the Site Plan.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that the City Council approves Zoning Case 17-03 for a site plan for Marvin Development IV, LLC for Taco Bell subject to the following conditions:

1. The required easements, inspection and maintenance agreements, inspection and maintenance plan, financial guarantee and other items as required for the stormwater BMPs must be submitted before a building permit is issued.
2. Compliance with the Assistant City Engineer's Memo dated March 1, 2017.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 21ST DAY OF MARCH, 2017.

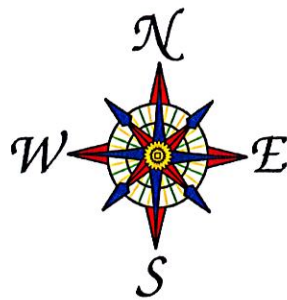
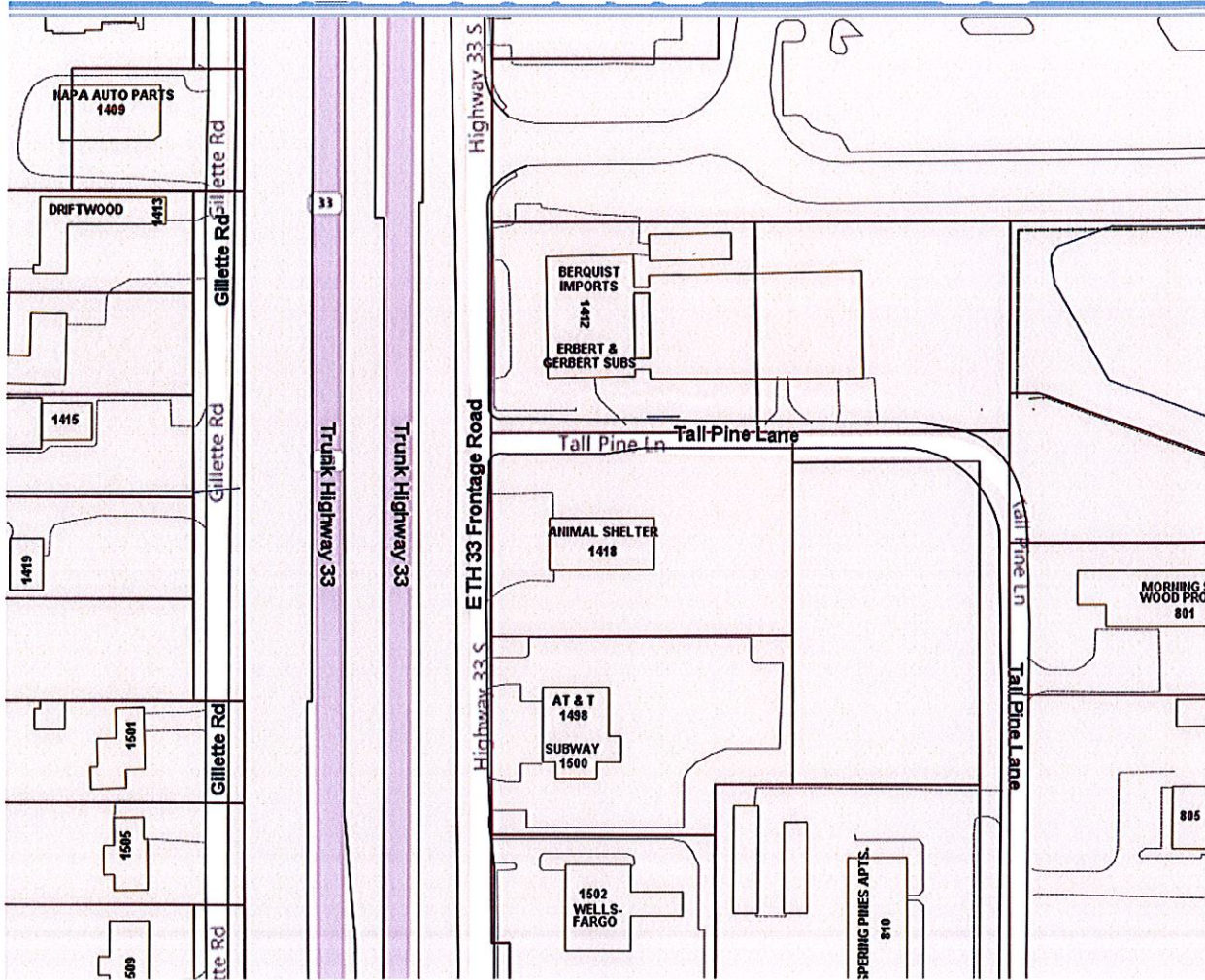
ATTEST:

Dave Hallback, Mayor

James Barclay, Interim City Administrator

LOCATION MAP

Marvin Development IV, LLC



No Scale



DEPARTMENT OF PUBLIC WORKS

1307 Cloquet Avenue; Cloquet, MN 55720
Phone: (218) 879-6758 Fax: (218) 879-6555
Street - Water - Sewer – Engineering - Park
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MEMO

To: Al Cottingham, City Planner
From: John Anderson, Assistant City Engineer
Date: March 01, 2017

SUBJECT: Taco Bell Plan Review

I have reviewed the site plans for the Proposed Taco Bell at 1418 Hwy 33, dated 2/17/17, submitted by Finn Daniels Architects and drainage calculations prepared by Civil Engineering Site Design. In general the plans meet the expectations discussed in the pre design meeting and the storm water treatment meets the requirements of the city code. With that being said the following are my comments on the plans submitted, comments need to be address before proceeding to construction.

Sheet C1.0 Site Plan

1. Site Plan Note #12 should be modified to read “**Public and Private** Sidewalks shall be constructed with cross slope of 1.5% with adjustment +/- 0.5%. Sidewalks will be inspected after construction, any sidewalk exceeding 2.0% cross slope will need to be replaced at contractors expense.”

Sheet C2.0 Grading and Drainage Plan

1. Label the following on the storm water pond
HWL - 100 yr 1203.26, 10 yr 1203.05, 2 yr 1202.59
NWL - dry

Sheet C3.0 Utility Plan

1. The new concrete curb on Tall Pine Lane should extend another 15 feet westerly to incorporate the existing catch basin into new the curb line. The casting on this catch basin shall be replaced with an R-3067 casting.
2. The sanitary sewer service will need a grease trap either internal or external to the building.
3. The sewer service may use the existing wye connection to the sewer main in Tall Pine lane if it is found to be in satisfactory condition.
4. Since this site is located within the Drinking Water Surface management area (DWSMA) and infiltration is discouraged, the storm water pond should have 4 inch perforated drain tile around the perimeter of the pond following approximately the 1202 contour and connecting to the outlet structure. This drain tile should be constructed with a locating wire.

Sheet C8.0 Standard Details

1. The elevations shown on the typical infiltration basin cross section are not correct.
2. Show the drain tile in the typical infiltration basin cross section.
3. Remove the word "If" at the beginning of note number 3 infiltration basin general notes.

Sheet L3 Landscape Details

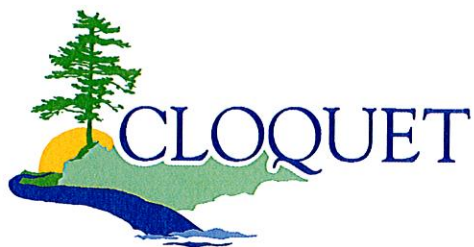
1. The TYPE A seeding for the stormwater basin take some time to establish. How will acceptance of the growth be verified. And how long does it need to get established, probably more than one growing season?

Drainage Calculations

1. Revise the calculations to account for the drain tile in the storm water pond.


General Civil Comments

1. The site work will require the following city permits Grading, Water/Sewer, right of way occupation
2. An NPDES construction permit will be required from the MPCA.
3. A maintenance agreement should be drafted to describe the city's role and the property owner's role as it pertains to the storm water pond. In general the city will maintain the storm water function of the pond but will not maintain landscaping functions.



Community Development Department
1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

REQUEST FOR COUNCIL ACTION

To: Mayor and Cloquet City Council
From: Holly Hansen, Community Development Director 
Reviewed By: James Barclay, Interim City Administrator
Date: March 14, 2017

ITEM DESCRIPTION: Country Club Townhomes LLC Tax Increment Financing
Request: Set Public Hearing for May 2nd

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION NO. 17-23 CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL ON THE PROPOSED ADOPTION OF A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 4 AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 4-1 THEREIN AND THE ADOPTION OF THE TAX INCREMENT FINANCING PLAN THEREFOR** which sets a public hearing for May 2, 2017.

Background/Overview

In February 2017 Country Club Townhomes LLC (developer Dave Chmielewski) submitted a Tax Increment Financing (TIF) application for 12 single family patio homes on property owned by Country Club Townhomes LLC adjacent to the County Club property. The homes will be for sale and/or rent. The proposed date for the public hearing by the Council on the project is May 2, 2017.

As afforded in Minnesota Statute, TIF is a tool that is available for single family subdivision home use and has been growing in use across the state with the need for housing, especially in areas without an economy of scale. In the City's 2014 Cloquet Housing Study, it references one of the the major needs in the Cloquet housing market being the need for "Move Up" housing, housing that is not "starter home" nor "executive home" in price point and scale. The project as proposed will construct 12 slab on grade style single family homes which would fit this "Move Up" niche. The City's financial advisors (Ehlers) will review the financials on the project and the City's Development Attorney (Briggs and Morgan) will prepare necessary development agreements on the project. The developer will be working with the City Planner in submitting a Planned Unit Development (PUD), Preliminary Subdivision Plat, and Final Subdivision Plat for the creation of 12 lots for single family detached patio homes and one lot for common grounds to be governed by a Home Owners Association. The Planning Commission will review the project in April providing the Council with a recommendation on the project at the May 2nd public hearing.

To Mayor and Council
TIF Public Hearing
March 14, 2017
Page 2

By setting a public hearing date for the establishment of TIF District No. 4, the City Council is not obligating itself to either creating a TIF district for this project or agreeing to any future financing for the project. As required by statute, the TIF plan will provide a discussion on the economic and fiscal impacts of the proposed district.

Policy Objectives

Cloquet's TIF Policy guides the eligibility and procedures for the use of TIF within Cloquet for both business and housing developments as afforded by Mn. Stat. 469.174. From a procedural process, the Council must set a public hearing date to hear the proposed TIF project which is the purpose of the attached resolution. Under such a policy, a Housing Project as proposed qualifies for potential assistance if it meets certain standards and requirements of the City. Those requirements will be evaluated as part of the application process.

In order to create a TIF district, the City must follow a process that is described by Minnesota Statutes. This process starts with the calling of a public hearing and notification to the county and school district of the intention to hold such hearing at least 30 days prior to the hearing. The setting of the public hearing does not obligate the City Council to approve the creation of the TIF district.

Financial/Budget/Grant Considerations

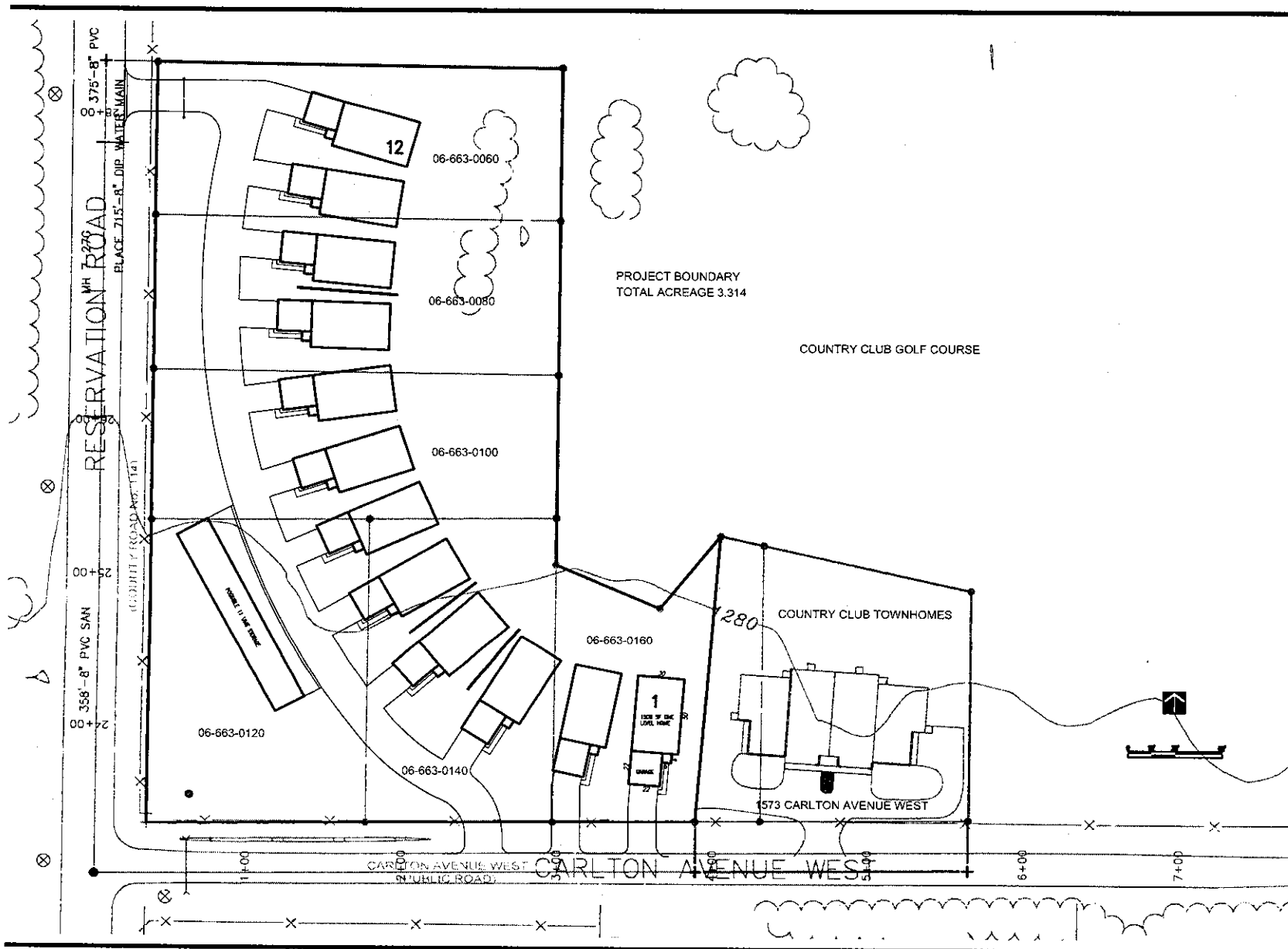
The applicant has paid the \$10,000 application fee. This fee supports work conducted by the city's financial advisors (Ehlers) and the city's development attorney (Briggs and Morgan) related to this project review.

Advisory Committee/Commission Action

The Cloquet Economic Development Authority will review the proposed TIF project at their April 5th meeting and will make a recommendation to the Council on the project at the May 2nd public hearing on the project.

Supporting Documentation Attached

- Site Map
- Resolution No. 17-23
- Draft Project Schedule



BLACKHOOF

2021 14th Street
Cloquet, MN 55725

COUNTRY CLUB TOWNHOMES, LLC

2020 14TH STREET
SUITE A
CLOQUET, MN 55720

▲ 0+0 100' 200'

COUNTRY CLUB PATIO HOMES

LAYOUT

FILE:
DATE:
SCALE:
SHEET NO.: **1.0**

CITY OF CLOQUET
CARLTON COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 17-23

**RESOLUTION CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL
ON THE PROPOSED ESTABLISHMENT OF DEVELOPMENT DISTRICT NO. 4
AND THE ADOPTION OF THE DEVELOPMENT PROGRAM THEREFOR;
AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING
DISTRICT NO. 4-1 THEREIN AND THE ADOPTION OF THE TAX
INCREMENT FINANCING PLAN THEREFOR**

BE IT RESOLVED by the City Council (the "Council") for the City of Cloquet, Minnesota (the "City"), as follows:

Section 1. Public Hearing. This Council shall meet on May 2, 2017, at approximately 7:00 P.M., to hold a public hearing on the proposed establishment of Development District No. 4 and the proposed adoption of a Development Program therefor; and the proposed establishment of Tax Increment Financing District No. 4-1, (a housing district) and the proposed adoption of a Tax Increment Financing Plan (the "Plan") (together the "Program and Plan") therefor, all pursuant to and in accordance with *Minnesota Statutes, Sections 469.124 to 469.133*, and *Sections 469.174 to 469.1794*, inclusive, as amended, in an effort to encourage the development and redevelopment of certain designated areas within the City; and

Section 2. Notice of Public Hearing, Filing of Program and Plan. City staff is authorized and directed to work with Ehlers to prepare the Program and Plan and to forward documents to the appropriate taxing jurisdictions including Carlton County and Independent School District No. 94. The City Administrator is authorized and directed to cause notice of the hearing, together with an appropriate map as required by law, to be published at least once in the official newspaper of the City not later than 10, nor more than 30, days prior to May 2, 2017, and to place a copy of the Program and Plan on file in the City Administrator's office at City Hall and to make such copy available for inspection by the public.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOUQUET THIS 21ST
DAY OF MARCH, 2017.**

Dave Hallback, Mayor

ATTEST:

James Barclay, Interim City Administrator

SCHEDULE OF EVENTS

CITY OF CLOQUET CARLTON COUNTY, MINNESOTA

FOR THE PROPOSED ESTABLISHMENT OF DEVELOPMENT DISTRICT NO. 4

AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 4-1 (a housing district)

AND THE APPROVAL OF A DEVELOPMENT AGREEMENT WITH COUNTRY CLUB TOWNHOMES

(as of February 28, 2017)

- | | |
|----------------|---|
| March 6, 2017 | Project information (property identification numbers and legal descriptions, detailed project description, maps, but/for statement, and list of sources and uses of funds) for drafting necessary documentation sent to Ehlers. Ehlers confirms with the City whether building permits have been issued on the property to be included in TIF District No. 4-1. |
| March 21, 2017 | City Council calls for a public hearing on the proposed establishment of Development District No. 4 and the establishment of Tax Increment Financing District No. 4-1.

Letter received by County Commissioner giving notice of a potential redevelopment tax increment financing district (at least 30 days prior to publication of public hearing notice). <i>[Ehlers will fax and mail on or before March 21, 2017]</i> |
| NA | Project information submitted to the County Board for review of county road impacts <i>if necessary*</i> (at least 45 days prior to public hearing). *The County Board, by law, has 45 days to review the TIF Plan to determine if any county roads will be impacted by the development. Because the City staff believes that the proposed tax increment financing district will not require unplanned county road improvements, the TIF Plan was not forwarded to the County Board 45 days prior to the public hearing. Please be aware that the County Board could claim that tax increment should be used for county roads, even after the public hearing. |
| March 31, 2017 | Fiscal/economic implications received by School Board Clerk and County Auditor (at least 30 days prior to public hearing). <i>[Ehlers will fax and mail on or before March 31, 2017]</i> |
| April 5, 2017 | EDA considers the Development Program and TIF Plan. |
| April 10, 2017 | Ehlers conducts internal review of the Development Program and TIF Plan. |

SCHEDULE OF EVENTS – PAGE 2

CITY OF CLOQUET CARLTON COUNTY, MINNESOTA

FOR THE PROPOSED ESTABLISHMENT OF DEVELOPMENT DISTRICT NO. 4

AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 4-1 (a housing district)

AND THE APPROVAL OF A DEVELOPMENT AGREEMENT WITH COUNTRY CLUB TOWNHOMES

- | | |
|------------------|--|
| April 11, 2017 | Planning Commission reviews Development Program and TIF Plan to determine if they are in compliance with City's comprehensive plan and adopts a resolution approving the Development Program and TIF Plan. |
| April 20, 2017 | Date of publication of hearing notice and map for tax increment financing district (at least 10 days but not more than 30 days prior to hearing). <i>[Pine Journal publication deadline, April 18, 2017 - Ehlers will e-mail notice and map on or before April 18, 2017]</i> |
| May 2, 2017 | City Council holds public hearing at 7:00 P.M. on the establishment Development District No. 4 and the establishment of Tax Increment Financing District No. 4-1 and passes resolution approving the Development Program and TIF Plan. <i>[Ehlers will e-mail final Council packet information to the City on April 25, 2017.]</i>

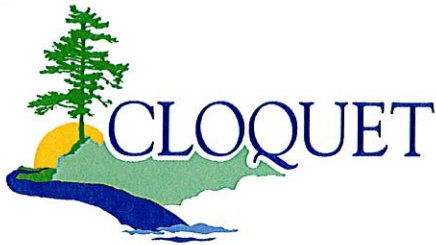
City Council approves Development Agreement with Country Club Townhomes. |
| By June 30, 2017 | City authorizes Ehlers to request certification of the TIF District. |
| By June 30, 2017 | Ehlers requests certification of the TIF District from the state and county. |

An action under subdivision 1, paragraph (a), contesting the validity of a determination by an authority under section 469.175, subdivision 3, must be commenced within the later of:

- (1) 180 days after the municipality's approval under section 469.175, subdivision 3; or
- (2) 90 days after the request for certification of the district is filed with the county auditor under section 469.177, subdivision 1.



EHLERS
LEADERS IN PUBLIC FINANCE



DEPARTMENT OF PUBLIC WORKS

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

REQUEST FOR COUNCIL ACTION

To: City Council
From: John Anderson, Assistant City Engineer
Reviewed By: James Barclay, Interim City Administrator
Date: March 21, 2017

ITEM DESCRIPTION: Awarding Bid for the 2017 Sewer Lining Project

Proposed Action

Staff recommends that the City Council move to adopt **RESOLUTION NO. 17-26, A RESOLUTION AWARDING 2017 SEWER LINING BID.**

Background/Overview

On January 17, 2017 the City Council authorized staff to solicit bids for the 2017 Sewer Lining Project. The City Council has planned for Sewer Lining in the Capital Improvement Plan (CIP). The CIP includes item SP-005 Sanitary Sewer CIPP Lining which budgets \$150,000 in 2017 for this work.

The project was bid with a base bid and two alternates to provide some flexibility in awarding the contract. The bidding was set up this way to give the City Council the option of awarding the base bid and any combination of the alternates to remain within budget.

The project was advertised and bids were opened on Thursday, March 9, 2017. Six bids were received with Hydro-Klean, LLC of Des Moines, Iowa being the low bid at \$149,464.54. The bids received were as follows:

Bidder	Base	Alternate A	Alternate B	Total Bid
Hydro-Klean LLC	\$105,335.24	\$ 27,557.57	\$ 16,571.73	\$149,464.54
Veit & Company	\$110,344.00	\$ 28,858.00	\$ 23,154.71	\$162,356.71
Visu-Sewer Inc.	\$114,632.00	\$ 31,381.00	\$ 17,764.00	\$163,777.00
Insituform Technologies	\$123,686.60	\$ 24,833.70	\$ 17,907.00	\$166,427.30
Michels Corporation	\$147,878.00	\$ 37,757.00	\$ 29,679.25	\$215,314.25
Lametti & Sons, Inc.	\$172,836.00	\$ 48,192.00	\$ 30,524.00	\$251,552.00
Engineer's Estimate	\$111,711.00	\$ 38,447.50	\$ 23,772.50	\$173,931.00

Policy Objectives

The project's objectives are to reduce I&I into the sanitary sewer system. With less I&I, the operational costs to provide sanitary sewer service to our residents are reduced as our billing from WLSSD are decreased. Additionally, another objective is to provide a system that requires less cleaning maintenance as root intrusion in to a lined pipe is substantially reduced.

Financial/Budget/Grant Considerations

The CIP budget for this project is \$150,000. The low bid from Hydro-Klean, LLC, including the base bid and alternates A and B total \$149,464.54. The areas covered in this project are shown on the location map attached

Given the favorable pricing we received on this bid, staff recommends award of the base bid and two bid alternates to the low bidder, Hydro-Klean LLC

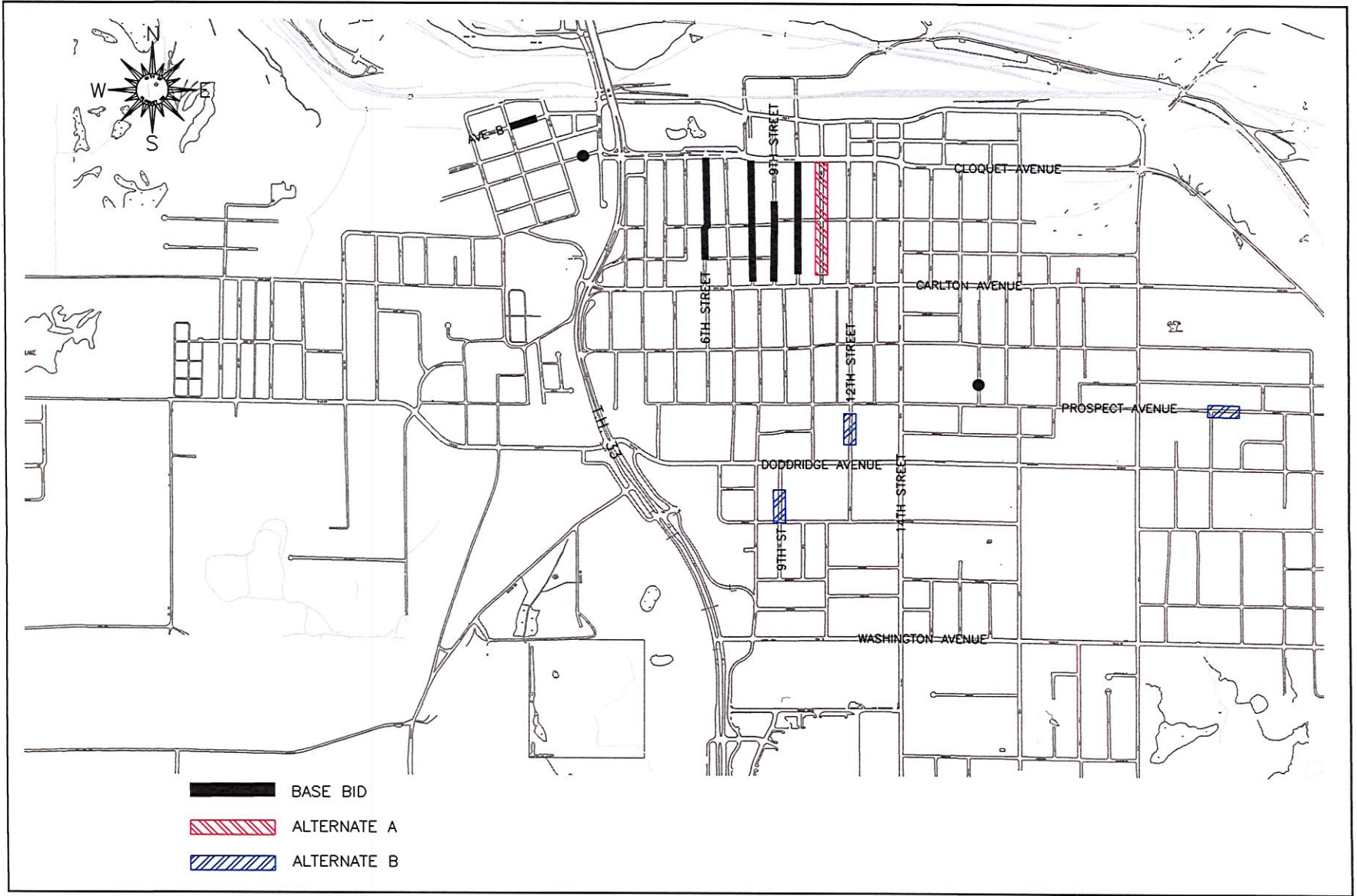
Advisory Committee/Commission Action

N/A.

Supporting Documents Attached

- Location Map (Exhibit A)
- Resolution No. 17-26

EXHIBIT A - 2017 SANITARY SEWER LINING



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

RESOLUTION NO. 17-26

**A RESOLUTION AWARDDING
2017 SEWER LINING BID**

WHEREAS, The City has completed plans and specifications for the rehabilitation of those sewers within the 2017 Sewer Lining project; and

WHEREAS, A resolution of the Council adopted on January 17, 2017 Authorized Staff to solicit bids; and

WHEREAS, The City of Cloquet advertised and received the following bids for the project:

Bidder	Base	Alternate A	Alternate B	Total Bid
Hydro-Klean LLC	\$ 105,335.24	\$ 27,557.57	\$ 16,571.73	\$ 149,464.54
Veit & Company	\$ 110,344.00	\$ 28,858.00	\$ 23,154.71	\$ 162,356.71
Visu-Sewer Inc.	\$ 114,632.00	\$ 31,381.00	\$ 17,764.00	\$ 163,777.00
Insituform Technologies	\$ 123,686.60	\$ 24,833.70	\$ 17,907.00	\$ 166,427.30
Michels Corporation	\$ 147,878.00	\$ 37,757.00	\$ 29,679.25	\$ 215,314.25
Lametti & Sons, Inc.	\$ 172,836.00	\$ 48,192.00	\$ 30,524.00	\$ 251,552.00

AND WHEREAS, The apparent low bid from Hydro-Klean LLC, Inc. was found to meet the minimum bid requirements.

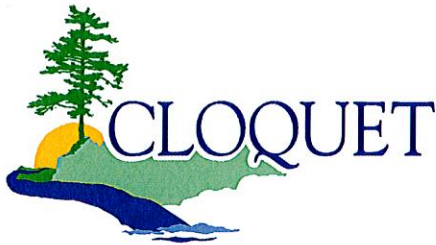
NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the bid from Hydro-Klean LLC in the amount of \$149,464.54 is hereby accepted.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 21st DAY OF MARCH, 2017.

Dave Hallback, Mayor

ATTEST:

James Barclay, Interim City Administrator



DEPARTMENT OF PUBLIC WORKS

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

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, Director of Public Works
Reviewed By: James Barclay, Interim City Administrator
Date: March 21, 2017

ITEM DESCRIPTION: Authorization to Bid 2017 Riverfront Improvements

Proposed Action

Staff recommends that the City Council move to authorize the solicitation of bids for planned park, landscape, and street improvements on Broadway Avenue, Dunlap Island, and the north riverfront.

Background/Overview

The adopted Capital Improvement Plan calls for 2017 park, street and highway landscape improvements on Dunlap Island, the north riverfront and along the Broadway Avenue corridor.

Over the past few months, the City's engineering consultant Short Elliot Hendrickson (SEH) has been working with the Council, Park Commission, staff and various park users to refine the scope of the project and complete final construction documents. Those improvements included for completion in 2017 include the following:

Dunlap Island

- Destination Play Structure
- Indoor/Outdoor - Restroom/Warming House/Shelter Structure
- Picnic Shelter (one, 4-table size, simple structure)
- Lighting/Electrical
- Parking Lot
- Walks/Skating Ribbon
- Landscaping/Park Furnishings

Broadway Avenue

- Pavement Rehabilitation
- Lighting
- Landscaping
- Sidewalk/Trail Improvements

North Riverfront

- Existing Trail Repairs
- Erosion Repairs (Alternate Bid Item)
- Alternative ATV Routing (Alternate Bid Item)

Policy Objectives

Policy 1.3 – Improvements to parks shall follow a process that engages park users, stakeholders, and neighbors to ensure changes are aligned with community needs and interests.

Policy 2.5 – All park resources shall be maintained in a way that ensures they are safe and attractive.

Project Schedule

March 21 - Authorization to bid
March 30 - Bid Advertisement
April 20 - Bid Opening
May 2 - Council Award of Project
June – Construction Begins

Financial/Budget/Grant Considerations

The engineer’s estimate for this project is attached. The 2017 budget included approximately \$4.1 million for the proposed improvements. The project would be funded using sales tax revenues.

Advisory Committee/Commission Action

N/A.

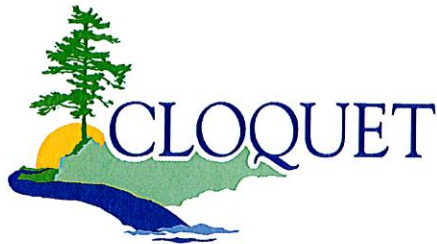
Supporting Documents Attached

- Cost Estimate



Cost Estimate Summary
 2017 Dunlap Island & Broadway Improvements
 CLOQU 139201
 March 15, 2017

<i>Overall (Shared) Project Costs</i>		
1	Removals, Excavation, Utilities, and Erosion Control	\$ 366,128.00
<i>Dunlap Island Park Project Costs</i>		
2	Park Vegetation, Plantings, and Furnishings	\$ 334,880.00
3	Park Roadway and Parking Lot	\$ 200,256.00
4	Park Loop Path	\$ 161,952.00
5	Skating Ribbon	\$ 188,496.00
6	Warming House	\$ 466,928.00
7	Fire Ring/Warming House Plaza	\$ 149,744.00
8	Satellite Toilet Enclosure	\$ 12,880.00
9	Lighting - Park	\$ 236,880.00
10	Playground Node	\$ 570,416.00
11	Large Shelter	\$ 64,960.00
<i>Broadway Streetscape Costs</i>		
12	Broadway Pavement, Rail Crossing, Curb & Gutter, and Sidewalks	\$ 562,240.00
13	Broadway Vegetation, Plantings, and Fencing	\$ 137,088.00
14	Lighting - Broadway	\$ 369,600.00
15	Ave C Plaza/Bumpouts	\$ 42,448.00
16	Mill and Overlay - North Parking Area	\$ 39,200.00
<i>TH33 & Trail Improvement Costs</i>		
17	TH33 Vegetation and Plantings North of River	\$ 38,752.00
18	North Trail Repairs	\$ 58,576.00
19	North Trail Spur Addition	\$ 54,208.00
	Subtotal Design & Construction	\$ 4,055,632.00
	Contingency 5%	\$ 202,800.00
	Total Project Cost	\$ 4,258,432.00
	CIP Allocation	\$ 4,128,000.00
	Landscape Partnership Program Grant (MnDOT)	\$ 12,000.00
	Total Project Budget	\$ 4,140,000.00



DEPARTMENT OF PUBLIC WORKS

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, City Engineer
Reviewed by: James Barclay, Interim City Administrator
Date: March 21, 2017

ITEM DESCRIPTION: Broadway Avenue Limited Use Permit

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION 17-27, AUTHORIZING THE CITY OF CLOQUET PULBIC WORKS DEPARTMENT TO MAINTAIN A PATHWAY ON MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY ALONG BROADWAY AVENUE.**

Background/Overview

As part of proposed 2017 Riverfront Improvements, there are two “pathways” under Highway 33 and an additional sidewalk along Broadway Avenue which will require a Limited Use Permit (LUP) from the Minnesota Department of Transportation (MnDOT). Part of the application process includes City Council approval of the attached Resolution confirming the City’s intent to construct and maintain these facilities within State ROW.

Policy Objectives

N/A.

Financial/Budget/Grant Considerations

The City is responsible for all costs associated with construction and maintenance of the pathways including any associated costs of removal should it become necessary.

Advisory Committee/Commission Action

N/A.

Supporting Documentation Attached

- Resolution 17-27

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

RESOLUTION NO. 17-27

**RESOLUTION AUTHORIZING THE CITY OF CLOQUET PUBLIC WORKS DEPARTMENT
TO MAINTAIN A PATHWAY ON MINNESOTA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY ALONG BROADWAY AVENUE**

WHEREAS, The City of Cloquet wishes to construct a pathway on Minnesota Department of Transportation Right-of-Way along Highway 33 and Broadway Avenue to serve as pedestrian access into the adjacent City Park; and

WHEREAS, The City requests to maintain the proposed pathways on Minnesota Department of Transportation Right-of-Way, as per this Resolution's adoption; and

WHEREAS, Authorization of this Resolution will be forwarded to the proper parties of the State of Minnesota Department of Transportation for review and approval of a Limited Use Permit; and

WHEREAS, The City Engineer has reviewed and recommended authorizing the Public Works Department to maintain the proposed pathways.

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

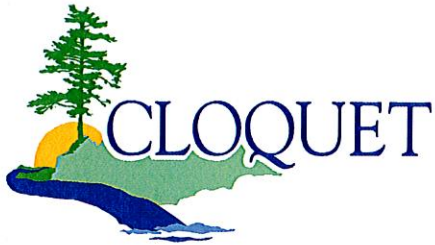
1. That the City Engineer is hereby authorized to request a Limited Use Permit from the Minnesota Department of Transportation for construction of a pedestrian path along Broadway Avenue.
2. That the City of Cloquet agrees to accept future responsibility for all costs associated with construction, maintenance or removal of the proposed pathway.
3. That all previously written and unwritten documents are hereby superseded and that this resolution shall become effective on the day it is adopted.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 21ST
DAY OF MARCH, 2017.**

Dave Hallback, Mayor

ATTEST:

James Barclay, Interim City Administrator



DEPARTMENT OF PUBLIC WORKS

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REQUEST FOR COUNCIL ACTION

To: City Council
From: John Anderson, Assistant City Engineer
Reviewed By: James Barclay, Interim City Administrator
Date: March 21, 2017

ITEM DESCRIPTION: Revised Memorandum of Understanding, Regional Stormwater Protection Team

Proposed Action

Staff recommends that the City Council move to approve the revised Memorandum of Understanding, Regional Stormwater Protection Team.

Background

In 2007 the City was notified by the Minnesota Pollution Control Agency (MPCA) that it had been designated as a Municipal Separate Storm Sewer System (MS4). Developed under the Clean Water Act, the MS4 permit program is actually a federal (EPA) mandate which is administered by the MPCA. The permit requires the City to implement a number of programs and policies related to stormwater management with the goal of reducing pollution of surface waters.

One requirement of the permit is for the City to develop and adopt a public outreach and education program related to protecting stormwater and eliminating illicit discharge. The City has been a member of the Regional Stormwater Protection Team (RSPT) since 2007. We have benefited from the affiliation with the group in being able to meet our stormwater education responsibilities as well as collaborating with the group on a variety of stormwater issues.

The Memorandum of Understanding currently in place was drafted in 2003 and is being updated to reflect two new members along with some minor wordsmithing to the language of the agreement. No major changes to the structure or function of the group are proposed as part of the update to the memorandum of understanding.

The group has discussed finances and begun work on the budget for 2018. Dues for this group have not changed since the City first joined 10 years ago. The dues are expected to increase by 10% in 2018 which would increase the City's share from \$1,100 to \$1,210. Cities and Townships contribute dues based on their size and population.

Policy Objectives

N/A

Financial/Budget/Grant Considerations

The dues paid to RSPT come from the Stormwater utility fund.

Advisory Committee/Commission Action

N/A.

Supporting Documents Attached

- Revised Memorandum of Understanding
- 2/14/17 RSPT letter



MEMORANDUM OF UNDERSTANDING
to establish a
REGIONAL STORMWATER PROTECTION TEAM

A. INTRODUCTION

This Memorandum of Understanding (MOU) formalizes coordination of the Regional Stormwater Protection Team (RSPT), an information networking task force of agencies and jurisdictions including, but not limited to the signatory entities listed, established in April, 2004.

The RSPT mission is to protect and enhance the region's shared water resources through stormwater pollution prevention by providing coordinated educational programs and technical assistance. Team members are committed to preventing and resolving issues of mutual concern for environmental protection on a regional watershed scale. This commitment is reinforced by policies internal to each agency. To sustain long-term commitment, the signatories agree to establish and implement the Interagency Stormwater Pollution Prevention Initiative described herein.

The goals of this initiative are to foster stormwater pollution prevention as the preferred environmental protection strategy within local and state agencies and to support and promote similar efforts within the private sector. Benefits of working together include offering a focal point for stormwater pollution prevention, reducing expenses by sharing knowledge and resources, minimizing duplication of effort and increasing grant application success, all of which will help significantly enhance the protection of Lake Superior, the St Louis River and Estuary and their tributaries.

In the spirit of these objectives, the agencies and entities represented by the signatories on this document agree to maintain a cooperative working relationship to promote stormwater pollution prevention.

This MOU does not create enforceable legal obligations, but rather is an expression of intent by the signatories to work together as partners to reduce stormwater pollution.

Nothing in this agreement is intended, nor shall it act in any way to alter, impede, or interfere with the authorities and procedures of the member agencies and entities involved in carrying out their regulatory and law enforcement responsibilities or their individual missions.

B. PURPOSE

Through this document, the members of the Regional Stormwater Protection Team establish a common agenda to work together on pollution prevention objectives and specific goals in a



cost effective and consistent manner. Successful implementation of this collaboration effort will help to:

- Incorporate stormwater pollution prevention measures into local jurisdiction and agency programs and planning.
- Avoid a piecemeal approach to stormwater pollution prevention and program development
- Share resources for stormwater pollution prevention projects.
- Provide consistent and regionally appropriate environmental messages.
- Improve communication and interrelationships between agencies and local jurisdictions.
- Support existing RSPT member agency and entity missions and partnership agreements.
- Reduce stormwater peak flows and pollutant loads within the Western Lake Superior Watershed.
- Work to enhance citizen knowledge about stormwater pollution prevention.

C. AREAS OF AGREEMENT:

The signatories agree to promote stormwater pollution prevention and pursue issues of mutual concern. In particular, the parties will strive to:

1. Seek opportunities to collaborate on stormwater pollution prevention projects of mutual interest, to demonstrate pollution prevention technologies and techniques.
 - a) Stage periodic environmental show and tell events.
 - b) Develop educational materials and co-sponsor workshops focused toward specific audiences.
 - c) Maintain an information clearinghouse.
 - d) Identify areas where policies conflict and may need to be revised to achieve goals.
 - e) Develop collaborative grant proposals.
2. Share information on stormwater pollution prevention technologies and techniques through periodic meetings and joint training programs.
 - a) Share strategies and progress in implementation.
 - b) Provide relevant technology updates.
 - c) Participate in environmental roundtable discussions.
 - d) Share innovative ideas.
3. Demonstrate watershed-wide environmental leadership in stormwater pollution prevention.
 - a) Promote stormwater pollution prevention through press releases and other interpretive programs conducted by participating agencies.
 - b) Enhance watershed-wide efforts to increase communications and education about the importance of stormwater pollution prevention.
4. Seek opportunities to eliminate or reduce stormwater pollution and encourage use of efficient pollution prevention technologies and techniques.



- a) Identify root causes of stormwater pollution and take steps to reduce or eliminate wastes through stormwater pollution prevention techniques.
 - b) Identify and overcome barriers to adoption of stormwater pollution prevention practices.
 - c) Educate the general citizenry about stormwater pollution prevention through formal and informal education.
5. Cooperate in evaluating stormwater pollution prevention generally.
- a) Evaluate needs and goals of participating agencies.
 - b) Determine what information is required to meet goals and needs.
 - c) Measure progress in reducing stormwater pollution.
6. Collaborate to seek funding to develop and demonstrate environmentally benign and beneficial alternatives to current non-sustainable practices.

D. ORGANIZATION STRUCTURE (see Attachment A)

Each participant shall designate at least one contact to monitor pollution prevention coordination activities within their jurisdiction. These individuals shall provide input to the RSPT on the initiative. The RSPT will oversee the development and implementation of the interagency initiative to facilitate communication and coordination on stormwater pollution prevention.

Members include MS4 (dues paying and voting) and non-MS4 (non-dues paying and non-voting) members.

The RSPT meets regularly. All ideas are encouraged and welcome. Appropriate projects, workgroup formations, and courses of action are determined by a consensus of the members.

E. CHANGES TO THE AGREEMENT:

Amendments or additional appendices may be developed and implemented by mutual written agreement of the signatories at any time without renegotiating the entire MOU. A party may also terminate its participation in this agreement after providing 30 days written notice to the other parties.

F. EFFECTIVE DATE OF AGREEMENT:

This agreement is effective on the date of the signature of the entity and will remain in effect for all parties unless and until they choose to formally terminate.

G. SIGNATORIES



Attachment A

BY-LAWS

Regional Stormwater Protection Team Operational Structure

The Regional Stormwater Protection Team shall work in the following areas:

- I. Data collection and analysis
 - A. Develop and maintain regional audiences' mailing lists and list of groups, organizations and trade associations.
 - B. Develop and maintain a measurement system that analysis and assays outreach and communication efforts.
- II. Outreach
 - A. Develop a joint stormwater pollution prevention message and share it with companies, organizations, associations and the general citizenry.
 - B. Develop and maintain educational materials to achieve awareness and compliance on a cooperative basis from citizens and businesses.
- III. Communication
 - A. Meet monthly to discuss stormwater pollution prevention issues facing the region.
 - B. Communicate status of local, regional, state or national activities.
 - C. Communicate on the status of specific regulatory decisions to the extent such decisions affect development of a regional stormwater pollution prevention management system.
 - D. Develop technical assistance roundtable discussion groups.
 - E. Share information about current and planned written materials.
 - F. Develop additional relationships with related groups and organizations.
- IV. Organization
 - A. Chairperson: This position will serve no less than 12 months and is responsible for organizing and leading meetings.
 - B. Vice Chair: This position will serve no less than 12 months and will prepare to serve as chair for the following 12 months.
 - C. Fiscal Agents: Fiscal Agents identified in each successful grant application will prepare and present periodic fiscal statements to the Team.
 - D. Treasurer: This position will serve no less than 12 months. The treasurer shall track and keep all finances related to the RSPT budget and update the group at regular meetings.
 - D. Secretary: This position will serve for no less than 12 months and is responsible for keeping and distributing meeting minutes to the Chair / Co-Chairs for distribution.



Andrea Crouse, and Todd Carlson
Co-Chairs, Regional Stormwater Protection Team (RSPT)

2/14/2017

To RSPT Member,

Thank you for continuing to support efforts to protect local water from pollution by being a member of the Regional Stormwater Protection Team (RSPT). Clean water is important to all of us for many different reasons; public health, recreation, scenic beauty, fishing opportunities, and tourism... just to name a few.

According to the EPA, stormwater is the leading source of pollution to our nation's water, and in this region, that ultimately means Lake Superior. RSPT's mission is to educate and inform people about how their actions can and will impact water quality and to provide reasonable options and tools for decreasing stormwater pollution off their property. Since 2003, RSPT has been working to increase the public's understanding of stormwater pollution and promote methods to prevent it.

You are receiving this letter because RSPT members recently voted to increase annual dues by 10% (dues have not been raised since RSPT's inception in 2003). The 10% increase will go into effect next year, on the 2018 invoice. A draft invoice is enclosed for your community, reflecting this change.

As a member of the RSPT, your organization receives the benefits of sharing resources with other local agencies and organizations. By working together we can accomplish much more than all of us working separately. For most of our members, being a part of the RSPT is critical to helping your organization meet specific education and outreach requirements of your MS4 stormwater permit.

We would like to personally thank you for your past support with both resources and staff time. The participation and collaboration of our members is vital to keeping our creeks, streams, and lakes clean.

Enclosed you will find a draft 2018 invoice which reflects the 10% increase to the annual dues that will go into effect next year. We want communities to have the time to plan for the increase. If you have any questions or concerns about the RSPT or its mission please feel free to contact us anytime.

Sincerely,

Handwritten signatures of Andrea B. Crouse and Todd Carlson, separated by an ampersand.

Andrea B. Crouse and Todd Carlson