



**CITY OF CLOQUET
City Council Agenda
AMENDED
Tuesday, October 3, 2017
7:00 p.m.
City Hall Council Chambers**

CITY COUNCIL WORK SESSION

- 5:30 2016 Financial Audit Presentation
- 6:00 Cloquet Amateur Hockey Association Funding Discussion
- 6:15 Joint Meeting with CAB

Roll Call.

2. **Pledge of Allegiance.**

3. **Approval of Agenda.**

- a. Approval of October 3, 2017 Council Agenda

4. **Approval of Council Minutes.**

- a. Work Session Minutes from the September 19, 2017 meeting
- b. Regular Council Minutes from the September 19, 2017 meeting

5. **Consent Agenda.**

Items in the Consent Agenda are considered routine and will be approved with one motion without discussion/debate. The Mayor will ask if any Council members wish to remove an item. If no items are to be removed, the Mayor will then ask for a motion to approve the Consent Agenda.

- a. Resolution No. 17-81, Authorizing the Payment of Bills and Payroll
- b. Resolution No. 17-82, Approving Exempt Off-Site Gambling for the North Shore Wrestling Club

6. **Public Hearings.**

None.

7. **Presentations.**

None.



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8. Council Business.

- a. Retail Tobacco License Suspension – Wal Mart Liquor Box
- b. 2016 Financial Audit Acceptance
- c. 2016 Fund Balance Policy Plan
- d. Appointment of Administrative Police Secretary
- e. Resolution No. 17-09, Resolution Approving a Conditional Use Permit Amendment to Allow for the Expanded Hours of Operation for SKB/Shamrock Landfill in the HI-Heavy Industry District
- f. Resolution No. 17-10, Resolution Approving a Conditional Use Permit Amendment to Raise the Limits of Allowed Paper Sludge Waste for SKB Environmental/Shamrock Landfill in the HI-Heavy Industry District to 40%

9. Public Comments.

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

10. Council Comments, Announcements, and Updates.

12. Adjournment.



ADMINISTRATIVE OFFICES

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COUNCIL WORK SESSION

To: Mayor and City Council
From: James Barclay, Interim City Administrator
Reviewed By: Nancy Klassen, Finance Director
Caleb Peterson, City Engineer
Date: September 19, 2017

ITEM DESCRIPTION: Cloquet Amateur Hockey Association Funding

Background/Overview

In 1996 the City of Cloquet and the Cloquet Amateur Hockey Association (CAHA) entered into a ground lease agreement to allow CAHA to construct an indoor ice area on the property and to issue general obligation recreational facility revenue bonds to finance a portion of the cost of constructing the new facility. The City agreed and subsequently issued \$1,470,000 in bonds.

The 1996 agreement laid out the “Base Rent” in the amount of the City’s annual repayment obligation of the Bonds. (See Exhibit A, Base Rent Schedule). However, from and after the construction start date, the City shall own the improvements and the fixtures subject to CAHA’s rights to use the property outlined in the agreement.

In 1998 the Ground Lease was amended to allow the City to bond for additional funds CAHA needed to complete construction. City bonded for an additional amount of \$630,000.

In 2004 a Second Amendment was agreed to that facilitary repayment of both bonds in the amount of \$80,100 until the bonds are paid in full.

In 2009 a Third Amendment was agreed upon to modify the on-going arrangement and to provide for the Base Rent under the Lease sufficient to pay the debt service on the Bonds but with the intent of allowing the Tenant more time and more favorable terms such that CAHA can more easily meet its financial obligations. At this time the lease agreement payment was set at \$51,930 per year for a period of 17 years.

1. City staff has been approached by representatives of the Wilderness Hockey Team concerning on-going contract negotiations with CAHA for use of the facility. Wilderness staff is asking for concessions in order to commit to a new contract. CAHA staff understands the plight of the Wilderness but reportedly is barely making it in the “black” as things stand. By their estimate, if Wilderness were to leave, they would have to make up an additional \$16,000 to remain the same financially. They don’t see the Wilderness as a big money maker for CAHA.
2. The City paid the bond off in 2008 but due to renegotiating over the years CAHA still owes a substantial amount. The City has renegotiated the bond repayment payments (lease payment) with CAHA to try to keep them financial healthy. Staff has recently examined the proceeds paid to the City by CAHA:

a. Lease (bond) Payment	\$51,930	Paid Annually in January
b. Insurance (Liability on property)	\$12,054	Paid Annually in February
c. Zamboni	\$12,451	Paid Annually in August

Objectives

City staff is looking for guidance from Council on what and if adjustments should be made to CAHA's annually encumbrances to enable them to be more financially stable and in a position to negotiate with the Wilderness.

EXHIBIT A

SCHEDULE OF BASE RENT PAYMENTS AND PAYMENT DATES

<u>Payment Date</u>	<u>Payment Amount</u>
<u>02/01/97</u>	<u>\$182,391.67</u>
<u>08/01/97</u>	<u>31,560.00</u>
<u>02/01/98</u>	<u>156,560.00</u>
<u>08/01/98</u>	<u>44,773.75</u>
<u>02/01/99</u>	<u>217,410.00</u>
<u>08/01/99</u>	<u>38,542.50</u>
<u>02/01/2000</u>	<u>228,542.50</u>
<u>08/01/2000</u>	<u>34,303.75</u>
<u>02/01/2001</u>	<u>229,303.75</u>
<u>08/01/2001</u>	<u>29,921.25</u>
<u>02/01/2002</u>	<u>234,921.25</u>
<u>08/01/2002</u>	<u>25,290.00</u>
<u>02/01/2003</u>	<u>240,290.00</u>
<u>08/01/2003</u>	<u>20,396.25</u>
<u>02/01/2004</u>	<u>250,396.35</u>
<u>08/01/2004</u>	<u>15,130.00</u>
<u>02/01/2005</u>	<u>250,130.00</u>
<u>08/01/2005</u>	<u>9,587.50</u>
<u>02/01/2006</u>	<u>259,587.50</u>
<u>08/01/2006</u>	<u>3,585.00</u>
<u>02/01/2007</u>	<u>78,585.00</u>
<u>08/01/2007</u>	<u>1,860.00</u>
<u>02/01/2008</u>	<u>81,860.00</u>
<u>08/01/2008</u>	

1996 Bonds
96+97 Bonds

last pay end 1996
1997 Bonds

<u>02/01/2009</u>	<u>80,100.00</u>
<u>08/01/2009</u>	
<u>02/01/2010</u>	<u>80,100.00</u>
<u>08/01/2010</u>	
<u>02/01/2011</u>	<u>80,100.00</u>
<u>08/01/2011</u>	
<u>02/01/2012</u>	<u>80,100.00</u>
<u>08/01/2012</u>	
<u>02/01/2013</u>	<u>80,100.00</u>
<u>08/01/2013</u>	
<u>02/01/2014</u>	<u>80,100.00</u>
<u>08/01/2014</u>	
<u>02/01/2015</u>	<u>80,100.00</u>
<u>08/01/2015</u>	
<u>02/01/2016</u>	<u>80,100.00</u>
<u>08/01/2016</u>	
<u>02/01/2017</u>	<u>80,100.00</u>
<u>08/01/2017</u>	
<u>02/01/2018</u>	<u>80,100.00</u>

CAHA BOND/RENT PAYMENTS FOR CARC (as of 9/21/09)

	<u>Bond</u> <u>Obligations</u>	<u>Payments</u> <u>Received **</u>	<u>Current</u> <u>Lease & Bonds</u> <u>Outstanding</u>	<u>Payments</u> <u>Under Lease</u> <u>3rd Amend</u>
2004	\$ 250,396.35	\$ 250,396.35	\$ -	
2005	\$ 250,916.25	\$ 250,916.25	\$ -	
2006	\$ 259,140.00	\$ 252,140.00	\$ 7,000.00	
2007	\$ 76,781.25	\$ 76,781.25	\$ -	
2008	\$ 74,800.00	\$ -	\$ 74,800.00	
2009	\$ 80,100.00	\$ -	\$ 80,100.00	
2010	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,920.00
2011	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,930.00
2012	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,930.00
2013	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,930.00
2014	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,930.00
2015	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,930.00
2016	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,930.00
2017	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,930.00
2018	\$ 80,100.00	\$ -	\$ 80,100.00	\$ 51,930.00
2019				\$ 51,930.00
2020				\$ 51,930.00
2021				\$ 51,930.00
2022				\$ 51,930.00
2023				\$ 51,930.00
2024				\$ 51,930.00
2025				\$ 51,930.00
2026				\$ 51,930.00
2027				
2028				
2029				
2030				
Total	\$ 1,713,033.85	\$ 830,233.85	\$ 882,800.00	882,800.00

** The \$40k payment made in 2008 and the \$50,000 payment in 2009 were applied against the 2006 outstanding balance.

Community Area Recreational Committee Obligation to City of Cloquet

YEAR	1996 BONDS (361)	1997 BONDS (364)	REPAYMENT	TOTAL
JANUARY 17, 1997	\$182,391.67	\$0.00	\$0.00	\$182,391.67
JULY 17, 1997	\$31,560.00	\$0.00	\$0.00	\$31,560.00
JANUARY 17, 1998	\$156,560.00	\$0.00	\$0.00	\$156,560.00
JULY 17, 1998	\$28,685.00	\$16,088.75	\$0.00	\$44,773.75
JANUARY 17, 1999	\$158,685.00	\$58,725.00	\$0.00	\$217,410.00
JULY 17, 1999	\$25,695.00	<i>184,380</i> \$12,847.50	\$0.00	\$38,542.50
JANUARY 17, 2000	\$160,695.00	\$67,847.50	\$0.00	\$228,542.50
JULY 17, 2000	\$22,556.25	<i>183,251.25</i> \$11,747.50	\$0.00	\$34,303.75
JANUARY 17, 2001	\$162,556.25	\$66,747.50	\$0.00	\$229,303.75
JULY 17, 2001	\$19,301.25	\$10,620.00	\$0.00	\$29,921.25
JANUARY 17, 2002	\$164,301.25	\$70,620.00	\$0.00	\$234,921.25
JULY 17, 2002	\$15,930.00	\$9,360.00	\$0.00	\$25,290.00
JANUARY 17, 2003	\$170,930.00	\$69,360.00	\$0.00	\$240,290.00
JULY 17, 2003	\$12,326.25	\$8,070.00	\$0.00	\$20,396.25
JANUARY 17, 2004	\$177,326.25	\$73,070.00	\$0.00	\$250,396.25
JULY 17, 2004	\$8,490.00	\$6,640.00	\$0.00	\$15,130.00
JANUARY 17, 2005	\$178,490.00	\$71,640.00	\$0.00	\$250,130.00
JULY 17, 2005	\$4,410.00	\$5,177.50	\$0.00	\$9,587.50
JANUARY 17, 2006	\$184,410.00	\$75,177.50	\$0.00	\$259,587.50
JULY 17, 2006	\$0.00	\$3,585.00	\$0.00	\$3,585.00
JANUARY 17, 2007	\$0.00	\$78,585.00	\$0.00	\$78,585.00
JULY 17, 2007	\$0.00	\$1,860.00	\$0.00	\$1,860.00
JANUARY 17, 2008	\$0.00	\$81,860.00	\$0.00	\$81,860.00
JANUARY 17, 2009	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2010	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2011	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2012	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2013	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2014	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2015	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2016	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2017	\$0.00	\$0.00	\$80,100.00	\$80,100.00
JANUARY 17, 2018	\$0.00	\$0.00	\$80,100.00	\$80,100.00

**Rules and Regulations
Of the
Citizen Advisory Board
CLOQUET POLICE**

The Cloquet Citizen Advisory Board has been appointed by the Cloquet City Council to assist the Cloquet Police Department with regard disciplinary procedures, public complaints, and hiring procedures. The Citizen Advisory Board will assist the Police Chief by providing an objective community perspective in the handling of those matters.

Board Member Signatures:

Lauri Ketola

James T. Hagen

Ron Gittings

Revised 06-07-2012

ADMINISTRATIVE RULES & PROCEDURES

Rule 1. **Definitions** - For the purpose of these rules and procedures, the following terms and phrases shall have the meaning prescribed to them as set forth below:

- (a) **Appointing authority** means the City Council of the City of Cloquet.
- (b) **Candidate list** refers to the list of the entry-level applicants who have successfully passed the competitive written/skills examination phase of the selection process.
- (c) **Certification** means the process by which the Citizen Advisory Board nominates the three highest scoring individuals on the eligible register to the Police Chief to be considered for appointment.
- (d) **Classified employees (members)** means all employees or members of the police department for which formal job descriptions have been developed and approved by the Police Chief/City Administrator.
- (e) **Criminal, infamous or disgraceful conduct** refers to conduct which would reflect discredit upon the applicant, or conduct which could reasonably be foreseen to impair the operation or efficiency of the applicant should he/she be considered for employment or promotion.
- (f) **Eligible register** refers to the list of entry-level applicants who have successfully completed both the written and oral interview phases of the selection process and who may be considered for certification.
- (g) **Emergency** means a period of severe social, economic or political disruption which would include, but not be limited to, war or other military hostilities in which the armed forces of the United States are a participant; a municipal, county, state or national disaster or catastrophe; or, a period of political unrest resulting in the major disruption of services.
- (h) **Minimum standards** shall mean one or more criteria placed on applicants to fulfill requirements for promotion, qualification for employment, licensing, certification or accreditation by professional organizations or a licensing authority.
- (i) **Citizen Advisory Board** refers to a three member board whose members are appointed by the Mayor (and approved by the City Council). Each term will be

staggered from the others and will be a three (3) year term.

- (j) ABoard@ is by reference intended to refer to the three members of the Citizen Advisory Board.
- (k) AUse of drugs, narcotics or intoxicating liquors@ means the documented ingestion or injection of a non-prescribed drug, narcotic or intoxicating liquor which results in a criminal court conviction, voluntary or court-ordered participation in a treatment/rehabilitation program, or the discovery of substance use through an authorized random-testing program.

Rule 2. **CLOQUET POLICE CITIZEN ADVISORY BOARD ORGANIZATION.**

Subd 1. Meeting. The Citizen Advisory Board shall meet in the first quarter of each year. The Citizen Advisory Board shall from time to time fix the times for its meetings and adopt, amend, and alter rules for its procedure. Two (2) members of the Citizen Advisory Board shall constitute a quorum and a minimum of two votes will be necessary to take formal action.

Subd 2. Citizen Advisory Board to Serve Without Pay. Each Board member shall serve without pay. The Council shall pay, from the municipal treasury, all expenses incurred by the Citizen Advisory Board in connection with the performance of its duties and shall furnish it with all supplies, stationery, and equipment it may require.

Rule 3. **CITIZEN ADVISORY BOARD RECORDS DEEMED PUBLIC RECORD.** Save any exception(s) noted in these rules, the minutes, correspondence and records of the Citizen Advisory Board are hereby declared to be public record subject to the privacy rights and protections afforded by law.

Rule 4. **AMENDMENTS TO RULES.** The City and Board may at any time cooperate to make, amend, alter and change or otherwise make additions to these rules and regulations to promote efficiency. Copies of these rules shall be maintained at the police department and will be available for inspection upon reasonable request.

Reasonable notice of the effective date of the changes, amendments, alterations, or additions shall be given by posting copies of the changes in the police department. In addition, each employee subject to the changes will be provided with a copy of the changes to be posted in his/her copy of the policy manual.

Rule 5. **JOB CLASSIFICATION AND DESCRIPTION.** The classification and description of all officers and employment positions maintained in the police department of the City of Cloquet are found in Section D, appended hereto and made part of these rules by reference, and shall constitute the classification plan for positions in the respective departments.

REQUIREMENTS FOR ENTRANCE TO AND PROMOTION POLICE DEPARTMENT.

Subd 1. Basic Requirements. Except as provided otherwise in these rules, no person shall be recommended to a position in the Police Department for appointment or by promotion unless he/she shall have:

- 1) Filed a written application on the Police Department prescribed form,
- 2) Met all required minimum standards of the particular employment,
- 3) Qualified by passing the required tests for the particular employment, and
- 4) Been certified in accordance with these rules.

Subd 2. Filing applications. Any person desiring appointment or promotion in the Police Department shall complete and file a written application with the Police Department on the prescribed form for admission to the next examination which will be given to all persons seeking appointment or promotion in a given class.

Notice of examination to entry-level positions in the Police Department shall be made by public advertisement at least ten (10) days in advance in a newspaper of general circulation in the City of Cloquet. In addition, the positions will be posted by advertisement for ten (10) days in City Hall and at the police building. The notice of examination shall state the manner in which the application forms may be obtained, the date limit for acceptance of applications, any minimum requirements for employment and other pertinent information. The Police Chief or Designee shall require evidence that the candidate possesses the minimum qualifications set forth for the position being sought. Each person on the application register shall receive ten (10) days advance mailed notice of examination.

Notice of examination for promotions in the Police Department shall be made by posting the job announcement at least ten (10) days in advance in the police department (for police promotional exams).

Notice shall also be forwarded to all absentees on vacation, sick leave or other approved leaves of absence. The notice of examination shall state the manner in which the application forms may be obtained, the date limit for acceptance of applications, any minimum requirements for employment, and other pertinent information. The Police Chief shall require evidence that the candidate possesses the minimum qualifications set forth in the specifications for the position being sought. Each person on the application register shall receive ten (10) days advance mailed notice of examination.

Subd 3. Entrance Examinations. Initial appointment to the Police Department shall be based upon competitive examination (police) and the successful completion of an oral

interview. All applications receiving a passing score (70% or above) on the written/skills examination will be placed on the appropriate candidate list (police) from which the Police Chief shall select candidates to be orally interviewed. Oral interviews will then be conducted as positions in the Police Departments become available. The Police Chief shall determine the number of candidates to be interviewed based upon the number of appointments likely to be made.

Candidates who successfully complete the oral interview(s) with a minimum score of 70% will be placed on the appropriate department eligibility register from which future appointments are made. The Police Chief reserves the right to interview additional candidates to replace those who do not receive a passing score and, as necessary, to expand the eligible register.

Subd 4. Promotional Examinations. Promotions in the Police Department shall be based upon education, experience, records of efficiency, character and conduct, seniority and on competitive examination scores as set forth by the Cloquet Police Department. Those scores will be used by the Police Chief to arrive at a finalist whose name will be passed on with a recommendation to the City Council for consideration for approval.

Promotional examinations shall be open only to employees in the Police Departments who have completed a minimum time in service and who possess all other specified qualifications. In the event that all applicants fail to qualify for promotion on the basis of physical requirements, class specifications, or competitive examinations, the Police Chief may prescribe alternative tests and qualifications based on requirements reasonably necessary for the position being sought and may extend the right of application unrestricted.

Subd 5. Rejection of Applications or Eligible Candidates. The Police Chief may reject any applicant or eligible candidate prior to the examination date or before certification from the eligibility register for good cause shown for any or all of the following cause(s):

- a) That he/she is physically unfit to perform the duties of the position sought;
- b) That he/she is found to lack the minimum qualifications as required in these rules;
- c) That he/she has been found guilty of criminal, infamous, or disgraceful conduct, or behavior unbecoming;
- d) That he/she has used any willful misrepresentation, deception, fraud, or false statement in connection with his/her application or qualification for employment or promotion.

The Police Chief shall cause each applicant whose application or eligibility is questioned under this subdivision to be notified in writing; and, the Police Department shall, upon

written request of the applicant, provide the applicant with an opportunity to explain why he/she should not be rejected or his/her name should not be removed from the eligible register.

Subd 6. Planning and Holding Tests for the Eligible Register. The Police Chief shall continuously monitor staffing requirements for the Police Department and shall schedule examinations for appointment or promotion whenever necessary. The Police Chief shall proceed by:

- 1) Issuing the proper notice;
- 2) Notifying applicants of the examination date, time and place;
- 3) Securing testing facilities and materials; and,
- 4) Seeing that the resulting eligibility register is prepared and submitted to the Citizen Advisory Board for approval.

No eligible register shall become effective until it is submitted to and approved by the Citizen Advisory Board.

Subd 7. Type of Tests. The test(s) used to determine the fitness of applicants for positions in any class of the Police Department may be written and/or oral, or in the form of a demonstration of skills or may be combination of these. These tests shall, as far as possible, be of character to fairly test and determine the relative mental and physical fitness and ability of the applicants to perform the duties of the position(s) to which they seek appointment or promotion. Any test or combination of tests that, in the judgment of the Police Chief, serves this end may be employed.

All applicants for positions of trust and responsibility shall be specially examined as to moral character, sobriety, and integrity, and all applicants for positions requiring special experience, skill, or faithfulness shall be specially examined in the respect to those qualities.

Subd 8. Conduct of Examinations. The Citizen Advisory Board shall ensure that all applicants be given an equal opportunity to demonstrate their qualifications and that all examinations are conducted openly and fairly. If an applicant is found to be using any extraneous, forbidden, or unfair source of information or advantage when taking the examination(s), the examination monitor is authorized to seize such material and shall make a written report to the Police Chief. The report will be submitted with the applicant's test materials and the improper source of information or advantage alleged.

The Police Chief may take such action as deemed appropriate in the case and may, in his/her discretion, disqualify the applicant.

Subd 9. Scoring of Examinations. The Citizen Advisory Board shall see that all examinations are scored as fairly and promptly as possible and shall cause copies to be kept in the files of the Police Department for a period of not less than one year. A copy of any evaluation/scoring sheets used, a copy of the notice used to advertise the position, and copies of any correspondence made between the Chief and the applicants(s) shall be maintained. Written, skills and oral examinations will be scored in the following manner and will be based upon a one hundred (100) point system. (Police Chief reserves the right to call for a new examination.)

(a) Entrance Examinations

- 1) Written or Skills. The written test score is derived by dividing the number of points awarded for answering correctly or skills performed correctly, by the total number of points possible for the examination. Weighted questions may award more than one point. Scores are rounded to the nearest hundredth. A minimum passing score of seventy (70) out of a possible one hundred (100) points is required to continue in the selection process. All non-disabled veteran applicants receiving a minimum passing score will then have the option of a one-time election to add ten (10) veterans preference points to their written score. All disabled veterans receiving a minimum passing score will then have a one-time option of electing to add fifteen (15) veterans preference points to their written score.
- 2) Oral Interview. The oral test score is derived by dividing the number of points awarded by the total number of points possible for the examination. Scores are rounded to the nearest hundredth. If more than one oral interview is utilized, the final score is calculated by adding the scores of all interviews used and dividing that sum by the number of interviews utilized. The resulting score is rounded to the nearest hundredth. In either case, a minimum passing score of seventy (70) out of a possible one hundred (100) points is required to be considered for the eligible register. All non-disabled veteran applicants receiving a minimum passing score of seventy (70) will then have a one-time option of electing to add ten (10) veterans preference points to their oral score. All disabled veterans receiving a minimum passing score of seventy (70) will then have the one time option of electing to add fifteen (15) veterans preference points to their written score.

(b) Promotional Examinations

- 1) Promotional examinations will utilize a combined total score and a one hundred (100) point system. The score for promotional examinations will be weighted as follows:

a.	Written score component	40 pts
b.	Oral score component	45 pts
c.	Educational component	5 pts
d.	Employee performance/evaluation	5 pts
e.	Seniority component	<u>5 pts</u>
		100 pts

- 2) Written or Skills (when used - for promotion to Sergeant/ Detective). The score is derived by dividing the number of points awarded for answering correctly or skills performed correctly, by the total number of points possible for the examination. Weighted questions may award more than one point. Scores are rounded to the nearest hundredth.

$$\frac{\# \text{ Points Awarded}}{\# \text{ Points Available}} \times (40) = \text{Written points component}$$

- 3) Oral Interview Process.

Oral interview (when used for promotion to Sergeant/Detective). The score is derived by dividing the number of points awarded by the total of points possible for the examination. Scores are rounded to the nearest hundredth. If more than one oral interview is utilized, the final score is calculated by adding the scores of all interviews used and dividing that sum by the number of interviews utilized.

The resulting score is rounded to the nearest hundredth. Promotional examinations utilize a combined total score; therefore, no minimum score is required.

The oral interview score is derived by awarding a specified number of points for each segment of the oral interview up to a total of one hundred (100) points for the interview with the Citizen Advisory Board.

$$\frac{\text{Average Oral Interview Score}}{\text{Out of 100 possible points, a maximum total of 45 points will be awarded for the Oral Interview component.}}$$

Out of 100 possible points, a maximum total of 45 points will be awarded for the Oral Interview component.

Maximum total of 45 points.

The issue of "efficiency, character and conduct" will be addressed during the oral interview by means of an interview question or questions which solicit a response from the applicant. The response to this question(s) will be scored in the same manner as other oral interview questions are scored.

- 4) Educational Component. Candidates will be given additional points based upon educational and training achievements. The following scores will be allocated as follows:

Associate's Degree	2
Bachelor's Degree	4
Master's Degree	2

Maximum college education total of 6 points; i.e. Associate's plus Bachelor's only worth 4. Certification courses beyond those required for maintaining POST - 1 each to a maximum of 9. Total maximum education component is a score of 15.

Points Awarded X (5) = Education points component
15 points Available

- 5) Employee Performance Review Component. Employee work evaluations will be reviewed for the three years preceding the promotional exam. In addition, points will be deducted from the promotional exam totals to account for disciplinary action taken in the three years leading up to the date of the exam. Each of the following actions will be factored into the total exam score:

- Oral warnings
- Written warnings
- Paid Suspensions (involving disciplinary action)
- Unpaid Suspensions

Points can be added back for letters of commendation, recognition awards, positive public feedback and performance recognition above and beyond the regular call of duty.

A total of five (5) additional points, (1.67 for each year) will be added to the total score. Each of the criteria assessed on the annual review of each applicant will be considered in arriving at the points achievable for any given year of service.

Below expectations	-1
Meets expectations	0
Exceeds expectations	+1

Add all criteria ranks X (1.67) = points for each year
10

Maximum score is 5 points since only the most recent three years are

considered for additional points.

- 6) Seniority Component. The seniority score is derived by awarding one (1) point for each completed year of service with the City of Cloquet and dividing that number by 7 to get a component point value for the promotional exam; i.e. twenty-one (21) years of service will add 3 points to the exam score to a maximum of five (5) points.

EXAMPLE OF PROMOTIONAL SCORING OPTIONS

Sergeant/ Detective (Police):

If both written and oral examinations are used:

Examination Oral	_____	45%
Examination Written	_____	40%
Education	_____	5%
Work Performance	_____	5%
Seniority	_____	5%
Subtotal	_____	100%
Veteran Preference pts added	_____	(If qualified and elected)

TOTAL QUALIFYING SCORE _____

If only an oral examination is used:

Oral Examination	_____	85%
Education	_____	5%
Work Experience	_____	5%
Seniority Points	_____	5% (In this instance years of service is divided by 7 to reach a maximum of 5 pts)
Veterans points added	_____	(If qualified and elected)

TOTAL QUALIFYING SCORE _____

(c) Veterans Preference.

1. Entry level positions. For purposes of entry level positions, veterans preference credit, as provided by statute, will be added to the score of all who meet the minimum passing rate on the written and oral examinations which is a score of at least seventy (70) on each. At the time of this revision, 10 points (on a 100 point scale) are awarded for an honorably discharged veteran, 15 points (on a 100 point

scale) are awarded for a disabled veteran. For purposes of these rules, and for purposes of securing entry level employment, a disabled veteran will mean a person who has a compensable service-connected disability as adjudicated by the United States Veteran Administration.

2. Competitive promotional positions. For purposes of the preference to be used in securing a competitive promotion, five (5) points will be added to the score of disabled veteran that achieves a passing score without the addition of credit points provided the Adisabled veteran@ is applying for a first promotion after hire. For purposes of this section, a Adisabled veteran@ means a person who at the time of election to use a promotional preference is entitled to disability compensation by the Veterans Administration and is rated at a 50% or more service-connected disability. See Minn. Stat. §197.455.
3. Effect of election. Every veteran and disabled veteran as those terms are defined herein will only be permitted to elect to use veteran=s preference points at one stage (either at written stage or oral interview stage) of the entry level or promotional testing process.

Rule 7.

PREPARATION AND ADOPTION OF ELIGIBLE REGISTERS.

Subd. 1. Entrance Examinations. Upon completion of scoring, the Citizen Advisory Board shall prepare a written register showing the applicants' names ranked in order of their total oral interview score provided the applicant has a minimum score of 70 on each of the written and oral exam. The names will be ranked with the highest total on the oral exam appearing first. In the event that two or more applicants have identical oral interview scores, the applicant with the higher written score will be placed highest on the register, second to be listed next, and so forth.

Subd 2. Promotional Examinations. In the event that two or more applicants have identical total scores, they will be referred to the Police Chief for a final interview. The Police Chief will consider the scores and the performance in the final interview and will make a recommendation for hire to the City Council. If the applicant recommended is not hired or does not accept the promotion for any reason, the Police Chief will recommend one of the remaining candidates until the position is filled.

Rule 8.

NOTICE TO APPLICANTS. Within ten (10) days following approval of any eligible register for appointment or promotion, the Police Department shall notify each applicant placed on the eligible register of his/her total weighted score and his/her relative standing on the register. Any applicant who fails to have his/her name placed on the eligible register shall be notified of that fact. Any applicant (but only the applicant), may at any reasonable time, inspect his/her own examination documents on file with the Police Departments.

Rule 9. **PRESERVATION OF THE APPLICATIONS, EXAMINATION RECORDS, AND OTHER RELATED DOCUMENTS.** Applications, examination records, and other documents of individuals who score less than the minimum required on any examination, and those whose names are not placed on the eligible register shall be preserved for three (3) months after the approval of the register and then shall be destroyed.

Applications, examination records, and other documents of those individuals whose names appear on the eligible register shall be preserved for the life of such register and shall then be destroyed.

Rule 10. **ERRORS, CORRECTIONS AND REVISIONS.** If clerical or other errors are discovered in the scoring of any examinee's work, the Citizen Advisory Board shall make the necessary corrections in scores and in the eligible register rankings and shall notify promptly the eligible applicants affected. No person whose name has been certified from such register and who has been employed, shall be displaced because of such a correction and change.

Rule 11. **PROBATION PERIOD.** Newly-appointed Employees. Any person appointed to a position in the Police Department after certification from an eligible register, shall be on probation for a period of twelve (12) months. Any person on probation may be discharged by the Chief of Police (as appropriate) without recourse. With regard to the length of the probationary period, it will be extended by precisely the period of time taken as a leave of absence by an employee for any reason, i.e. medical, vacation, sickness, FLA. etc.

Rule 12. **SERVICE RATINGS - EMPLOYEE EVALUATIONS.** Performance evaluations shall be conducted on an annual basis by the Chief of Police (as appropriate) or his/her designee, taking into account employee work schedules and shift rotations. The Chief of Police may review the employee evaluations when deemed necessary. In addition, the Citizen Advisory Board may consider information from current and prior performance evaluations when conducting oral interviews for promotional examinations.

Rule 13. **COORDINATION WITH RULES AND REGULATIONS OF THE POLICE DEPARTMENT.** The Citizen Advisory Board shall endeavor to promote respect for the respective department and shall assist in the enforcement of Rules and Regulations of the Police Department that are consistent with the law and these administrative rules. The Citizen Advisory Board recognizes the Rules of Conduct, Disciplinary Procedures, and Department General Orders appended to and made part of these rules, as bona fide standards for fitness, conduct, and efficiency governing the operation of all officers and employment in the Police Department. To the extent that any portion of these rules is determined to be unenforceable, it is the express intent to have the remaining rules and procedures apply to the extent permitted by law.

Cloquet City Council Work Session

Tuesday, September 19, 2017

DRAFT

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, H. Hansen, J. Palmer

Other: J. Peterson, Pine Journal, B. Larson, MnDOT

MnDOT follow UP on Roundabout Discussion

- Brian Larson was present to discuss the status of the proposed Highway 33/I-35 roundabout project. Mr. Larson stated that a roundabout is the best solution to eliminate T-bone crashes, right angle crashes, as well as effectively move traffic through the intersection by reducing speed. Mr. Larson showed a simulation of the intersection with a roundabout showing peak traffic on Sunday afternoon of a holiday weekend when there is heavy traffic going south.
- The design includes warning signs indicating a roundabout and reduced speed ahead. Discussion of types of warning signs and the placement of them making them most efficient.
- Councilors expressed concern over the speed of vehicles when coming from the bridge onto the roundabout during slippery conditions. Mr. Larson replied that a chip seal will be added to the surface for added traction.
- Discussion of the slope that goes into the wetlands and what can be done to prevent a vehicle from going down it. Options include a recoverable slope that gives the motorist the ability to get back onto the bridge, a guard rail or a cable median barrier. MnDOT recommends a recoverable slope.
- Mr. Larson indicated the designs are complete and have been sent to St. Paul for final approval. Bids are expected to go out in December with construction starting in May of 2018. The project is expected to be completed in September of 2018.
- Budget for the project is estimated at \$2.1 million and is 100% funded by federal dollars.

PD Shift Duration Discussion

- Interim Chief Palmer addressed the Council regarding switching the current 11.5-hour shift schedule back to 12-hour shifts. Mr. Palmer explained that the current schedule sometimes leaves the department short officers for 30 minutes during the busiest time of the day because of the staggered start times. Mr. Palmer also stated the shift change has caused low morale within the department.
- Several opinions were voiced during the discussion regarding the pros and cons of 11.5 hour shifts versus the 12 hour shifts. Issues include sick time abuse, the amount of banked time off, and the benefits of giving extra time off to the officers.
- Former Police Chief Lamirande explained the issues he experienced with shift schedules. Mr. Lamirande stated the importance of officers' time off for vacations and with family to avoid burn-out. He also expressed concern that this discussion is taking place before a new Police Chief is in place.

- Councilors agreed police department sick time leave for 2017 needs to be reviewed at a future Work Session before any decisions are made. It was also agreed this discussion needs to take place once the new City Administrator starts and a new Police Chief has been hired.

There being no further business, the meeting adjourned at 7:00 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 Rock moved and Councilor Bailey seconded the motion to approve the September 19, 2017 agenda. The motion carried unanimously (7-0).**MINUTES****MOTION:** Councilor Kolodge moved and Councilor Rock seconded the motion to approve the minutes of the Work Session and Regular Meeting of September 5, 2017. The motion carried unanimously (7-0).**CONSENT AGENDA****MOTION:** Councilor Bjerkness moved and Councilor Maki seconded the motion to adopt the consent agenda of September 19, 2017, approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 17-74 Authorizing the Payment of Bills

PUBLIC HEARINGS

There were none.

PRESENTATIONS

There were none.

PLANNING COMMISSION APPOINTMENT**MOTION:** Councilor Bailey moved and Councilor Bjerkness seconded the motion to appoint Elizabeth Polling to serve on the Planning Commission effective September 20, 2017, with a term expiring December 31, 2018. The motion carried unanimously (7-0).**CLOQUET HOUSING AND REDEVELOPMENT AUTHORITY APPOINTMENT****MOTION:** Councilor Rock moved and Councilor Kolodge seconded the motion to reappoint Chad Dunaiski to serve on the Cloquet Housing Redevelopment Authority (HRA) with a term expiring June 30, 2022. The motion carried unanimously (7-0).**ADOPTING THE PROPOSED 2018 PRELIMINARY BUDGET****MOTION:** Councilor Rock moved and Councilor Maki seconded the motion to adopt **RESOLUTION NO. 17-78, RESOLUTION ADOPTING THE PROPOSED 2018 BUDGET.** The motion carried unanimously (7-0).**WHEREAS,** The Interim City Administrator has prepared an annual budget and the City Council has reviewed the proposed 2017 budget; and**WHEREAS,** Chapter 275, Section 065 of Minnesota Statutes requires that the City adopt a proposed 2018 levy and budget.**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA,** That there be and is hereby proposed to be set aside for the year 2018 for the following departments and funds:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
General	\$5,650,350	\$5,645,750
LDO Loan (EDA)	47,500	2,200
Federal CDGB Loan (EDA)	10,000	3,500
Economic Development Loan (City)	4,350	1,350
State SCDG/MIF (EDA)	1,000	2,650
Small Cities Development (EDA)	17,000	-
Community Development Operating (City)	144,900	172,050
Small Cities Development (City)	17,000	17,000
Library	603,000	582,750
Tax Increment – Woodward/Daqota	30,000	30,000
Tax Increment – 14 th Street Apartments	30,000	30,000
Tax Increment – Oakwood Estates	55,000	55,000
Park	613,100	604,100
Senior Center	11,500	11,400
Landfill Host Fee	64,000	-
Cable Television	125,450	167,200
Business Park Bonds	10,900	243,600
Swimming Pond Bonds	105,000	98,300
City Sales Tax Bonds	659,350	659,350
Permanent Improvement	1,160,000	1,460,500
Facilities Planning	-	20,000
Public Works Reserve	285,000	381,500
Revolving Capital Projects	1,470,000	1,470,000
City Sales Tax Projects	815,000	3,150,000
Employee Severance Benefits	75,000	50,000
Water – Lake Superior Waterline	3,010,000	2,672,250
Water – In-Town System	6,792,500	7,378,900
Sewer Utility	1,559,000	1,887,650
Stormwater Utility	332,000	387,950
TOTAL:	\$23,697,900	\$27,184,950

**ADOPTING SUMS OF MONEY PROPOSED TO BE LEVIED FOR LEVY YEAR 2017,
PAYABLE IN 2018**

MOTION: Councilor Bailey moved and Councilor Rock seconded the motion to adopt **RESOLUTION NO. 17-79, RESOLUTION ADOPTING SUMS OF MONEY PROPOSED TO BE LEVIED FOR LEVY YEAR 2017, PAYABLE IN 2018.** The motion carried unanimously (7-0).

BE IT RESOLVED, By the City Council of the City of Cloquet, Minnesota, that the following sums of money be levied for the levy year 2017, payable in 2018, upon taxable property in the City of Cloquet, for the following purposes:

<u>Fund</u>	<u>Levy</u>
General	\$1,525,000
Park	400,000
WLSSD District Wide Allocation	30,000
Public Works Reserve	150,000
Library	400,000
Permanent Improvement	350,000
GO Swimming Pond Debt	105,000
Community Development	125,000
TOTAL LEVY	\$3,085,000

2018-2022 PRELIMINARY CAPITAL IMPROVEMENT PLAN

MOTION: Councilor Kolodge moved and Councilor Bjerkness seconded the motion to adopt the Preliminary Five (5) Year Capital Improvement Plan for 2018-2022. The motion carried unanimously (7-0).

SET DATE FOR ADOPTION OF FINAL 2018 BUDGET AND LEVY

MOTION: Councilor Bailey moved and Councilor Bjerkness seconded the motion to set the date for the adoption of the final 2018 budget and property tax levy for December 5, 2017 at 7:00 p.m. The motion carried unanimously (7-0).

LOCAL ROAD IMPROVEMENT FUNDING

MOTION: Councilor Bjerkness moved and Councilor Bailey seconded the motion to adopt **RESOLUTION NO. 17-80, RESOLUTION SUPPORTING PURSUIT OF 2018 LOCAL ROAD IMPROVEMENT PROGRAM (LRIP) FUNDING.** The motion carried unanimously (7-0).

WHEREAS, The Local Road Improvement Program has been established through Statute 174.52 to provide funding assistance to local agencies; and

WHEREAS, The City of Cloquet is currently preparing engineering plans for improvements along Cloquet Avenue including pavement restoration, traffic signal maintenance, landscaping, street lighting, and pedestrian improvements; and

WHEREAS, Implementation of Cloquet Avenue improvements will have a positive regional impact to the area and the US Highway System, and

WHEREAS, The Cloquet Avenue improvements need additional funding in order to be implemented.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City Council hereby supports the pursuit of Local Road Improvement Program (LRIP) funding and authorizes staff to prepare and submit an application.

WASHED SAND FOR WINTER MAINTENANCE BID

MOTION: Councilor Rock moved and Councilor Kolodge seconded the motion to authorize the purchase of the 2017-2018 winter sand supply from FDL Sand & Gravel. The motion carried unanimously (7-0).

LUMBERJACK BLUE LINE CLUB PARKING REQUEST

MOTION: Councilor Kolodge moved and Councilor Langley seconded the motion to approve **RESOLUTION NO. 17-81, RESOLUTION AUTHORIZING THE LUMBERJACK BLUE LINE CLUB TO RESERVE PARKING SPACES AT NORTHWOODS ARENA DURING BOYS HOME HOCKEY GAMES.** The motion carried unanimously (7-0).

WHEREAS, The Lumberjack Blue Line Club desires to conduct a fundraiser by reserving twenty parking spaces outside Northwood's Credit Union Arena during boys home hockey games; and

WHEREAS, The City of Cloquet owns and maintains the parking lot servicing the Arena; and

WHEREAS, The Park Commission and City Staff have reviewed the request and found it to be consistent with Park Master Plan Policy and past practice for similar type requests; and

WHEREAS, The City and Blue Line Club mutually agree that the posting of any parking space in the lot as reserved will be temporary in nature; and

WHEREAS, As a condition of approval, all reserved parking signs must be removed from the lot following each game in order to prevent conflict with any other community event or facility serviced by the parking lot; and

WHEREAS, The Blue Line Club further agrees to prepare a report to the Park Commission at the finale of the season detailing the amount of funds raised and any operational issues encountered.

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

That the reservation of parking spaces at Northwood's Credit Union Arena by the Lumberjack Blue Line Club is hereby approved for the 2017-2018 boys high school hockey season subject to the conditions listed above.

DUNLAP ISLAND / BROADWAY STREET RECONSTRUCTION CHANGE ORDER

MOTION: Councilor Rock moved and Councilor Bjerkness seconded the approval of Change Order No. 1 to City Contract 1070. The changes involve eliminating the planting screen along the railroad right of way, minor changes to materials used in the warming house structure, adding rock pinning to a few light pole bases, and replacement of traffic signal loop detectors at TH33 signal. The motion carried unanimously (7-0).

PUBLIC COMMENTS

- Clarence Badger, Moorhead Road, addressed the Council thanking them for keeping up with the Shamrock Landfill issue and hopes the Council keeps the public in mind as it continues. Mr. Badger also shared the concern he has heard in the community regarding the number of businesses closing in Cloquet and asked what is happening to change that.
- Jana Peterson, Pine Journal, asked the Council why there have been uniformed Police Officers attending the City Council meetings lately. Mayor Hallback replied it is in response to concerns raised from phone calls received.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

There were none.

On a 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
Reviewed/Approved by: Aaron Reeves, City Administrator
Date: October 3, 2017

ITEM DESCRIPTION: Payment of Bills and Payroll

Proposed Action

Staff recommends the Council move to adopt **RESOLUTION NO. 17-81, A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS AND PAYROLL.**

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 and Payroll.
- b. Vendor Summary Report.
- c. Department Summary Report.

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

RESOLUTION NO. 17-81

A RESOLUTION AUTHORIZING THE PAYMENT OF BILLS AND PAYROLL

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

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

101	General Fund	\$	323,523.12
201	LDO Loan Fund		75,918.00
207	Community Development Operating		13,988.00
224	Public Facilities Planning		222.38
225	Permanent Improvement		1,787.50
226	Park Fund		36,040.65
228	Senior Center		7.95
231	Public Works Reserve		95,440.67
405	City Sales Tax Projects		369,060.99
600	Water - Lake Superior Waterline		54,228.23
601	Water - In Town		49,594.92
602	Sewer Fund		144,812.22
605	Storm Water Fund		11,977.90
614	CAT-7		10,164.40
701	Employee Severance Benefits		1,368.94
	TOTAL:	\$	<u>1,188,135.87</u>

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 3RD DAY OF OCTOBER, 2017.**

ATTEST:

Dave Hallback, Mayor

Aaron Reeves, City Administrator

DATE: 10/03/2017
TIME: 10:07:58
ID: AP442000.WOW

CITY OF CLOQUET
VENDOR SUMMARY REPORT

PAGE: 1

INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
110950	AARDVARK SEPTIC PUMPING	3,400.00	610.00
111610	ACME TOOLS	231.65	16.74
112050	ADVANCED SERVICES INC	784.00	196.00
113425	ALLIED BUSINESS PRODUCTS CORP	0.00	1,496.94
113650	AMAZON.COM CREDIT	4,398.17	504.86
121000	ARROWHEAD SPRINGS INC	1,172.75	123.50
123050	B & B MARKET	311.40	12.00
123400	BAKER & TAYLOR	6,525.75	218.94
126980	BLOTTI CONTRACTING	5,952.15	5,912.40
128400	BRIGGS & MORGAN	1,250.00	4,500.00
134700	CARLTON COUNTY TREASURER	891.15	2,060.37
134900	CARLTON COUNTY TREASURER	1,815.21	11.00
136850	CENTER POINT LARGE PRINT	333.12	42.54
137310	CENTURY LINK	22,786.39	1,431.57
137340	CHAMBERLAIN OIL CO., INC.	3,494.64	1,203.55
139025	CINTAS	1,833.06	94.82
139800	CLOQUET AREA CHAMBER OF COMMER	38,290.58	6,539.14
140200	CITY OF CLOQUET - PETTY CASH	1,587.54	31.62
141100	CLOQUET FORD-CHRYSLER CENTER	33,108.92	15.12
142100	CLOQUET MAIL STATION	711.64	106.54
142800	CLOQUET SANITARY SERVICE	7,314.00	116.64
142950	CLOQUET SHAW MEMORIAL	381.37	29.40
145800	COMPUDYNE	3,061.49	300.00
150100	D A L C O	5,372.92	207.92
153800	DIGGERS HOTLINE, INC.	74.30	4.80
156800	DULUTH NEWS TRIBUNE	3,079.30	247.52
158000	DULUTH/SUPERIOR COMMUNICATIONS	10,652.19	75.00
160950	ELECTRIC PUMP, INC.	5,802.67	4,796.40
161675	EMC NATIONAL LIFE	13,706.30	1,170.65
161850	EMERGENCY AUTOMOTIVE TECH, INC	3,612.92	9,374.41
165375	FERGUSON WATERWORKS #2516	3,980.24	904.61
165650	FINGERPRINT AMERICA	0.00	987.50
170950	FRIENDS OF ANIMALS	23,700.00	7,750.00
170975	FRIENDS OF THE CLOQUET LIBRARY	746.85	114.95
171800	GALE/CENGAGE LEARNING	823.38	184.74
173575	GEORGE BOUGALIS & SONS INC	338,662.30	8,969.55
174300	GLORY SHINE JANITORIAL CLEAN	8,400.00	1,050.00
175840	GRANDE HARDWARE CO.	942.19	32.45
175950	GRAPHIC TECHNOLOGIES	4,152.50	85.00
179300	HACH COMPANY	4,596.85	354.89
180425	HARRIS COMPUTER SYSTEMS	16,847.91	244.80
180500	HAWKINS INC	43,780.06	2,185.71
184675	HYDRO KLEAN	156,451.40	475.67
186500	INDEPENDENT SCHOOL DISTRICT 94	53,062.50	17,687.50

INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
187500	INGRAM LIBRARY SERVICES	9,991.50	1,363.61
190175	JMF CONSTRUCTION INC.	9,694.50	1,907.10
190400	J. H. LARSON COMPANY	225.43	340.80
195045	KEEPRS, INC.	7,247.50	461.98
197300	KRAEMER CONSTRUCTION INC	4,072.50	112.00
197800	L & M SUPPLY CO	15,445.16	1,480.77
198250	L & S ELECTRIC, INC.	0.00	980.00
200650	LAMBERT AUTO GLASS	430.00	45.00
200750	LANDMARK ENVIRONMENTAL, LLC	2,663.94	1,787.50
203200	LEXISNEXIS	400.00	50.00
203450	LIBRARY DISPLAY DESIGN SYSTEMS	0.00	38.00
204400	LINCOLN NATIONAL LIFE	38,134.62	2,699.86
207600	GERALD MANTHEY	0.00	250.00
210450	MEDIACOM LLC.	2,090.52	212.39
211400	MENARDS	3,773.35	643.56
211700	METRO SALES, INC.	1,611.14	175.59
212400	MICHAUD DIST INC	265.00	22.00
214000	MIELKE ELECTRIC WORKS	60,981.00	670.00
214800	CITY OF MINNEAPOLIS RECIEVABLE	910.80	98.10
215410	MINNESOTA ENERGY RESOURCES	41,099.28	46.86
219067	MN DEPT OF ADMINISTRATION	5,861.33	2,211.54
224750	MN STATE TREASURER'S OFFICE	276.86	1,030.19
227575	MPOWER TECHNOLOGIES, INC	6,925.05	6,484.00
227750	MTI DISTRIBUTING, INC.	4,117.21	470.66
232300	THE NEW YORK TIMES	0.00	378.40
234600	NORTHERN BUSINESS PRODUCTS	8,566.03	287.33
236100	NORTHLAND CONSTRUCTORS	611,516.71	3,004.17
236275	NORTHLAND VEBA TRUST	46,896.00	5,689.00
236450	THE NORTHSPAN GROUP, INC.	2,500.00	918.00
240725	O'REILLY AUTO ENTERPRISES LLC	1,736.28	146.30
244950	PINE JOURNAL	83.20	83.20
247400	396-PRAXAIR DISTRIBUTION, INC.	6,283.44	207.16
248650	THE PROJECT CENTER	795.00	64.92
257925	ROYAL TIRE INC	4,001.63	2,188.11
261750	SEELYE PLASTICS, INC.	415.02	42.78
262850	SEWING UNLIMITED	664.00	54.00
263950	SINNOTT BLACKTOP LLC	590.00	125.00
264000	SIRCHIE FINGER PRINT LABS	623.85	62.79
265250	SNAP ON TOOLS	1,598.95	179.75
267400	ST PAUL PIONEER PRESS	514.60	172.20
271975	TEAMSTER LOCAL 346 HEALTH FUND	244,381.54	29,524.00
275075	TITAN MACHINERY	1,351.77	3,500.00
276600	TRI STATE BUSINESS SYSTEMS	801.70	298.86
277550	TURFWERKS	123.73	549.13

DATE: 10/03/2017
TIME: 10:07:58
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CITY OF CLOQUET
VENDOR SUMMARY REPORT

PAGE: 3

INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
278600	TWIN PORT MAILING	34,824.92	3,311.40
279100	U S BANK EQUIPMENT FINANCE	0.00	418.71
280400	ULLAND BROTHERS, INC.	475,933.41	362,261.47
280925	UNIQUE MANAGEMENT SERVICES	472.50	47.25
284875	VERIZON WIRELESS	8,123.04	931.07
286900	W L S S D	688,910.90	73,555.00
287800	WAL-MART COMMUNITY	1,580.40	90.86
287900	WAL-MART COMMUNITY	652.12	29.88
288100	WARNING LITES OF MN, INC.	309.40	290.00
289015	WELLS FARGO CREDIT CARD	67,892.73	4,864.30
290300	WIDDES FEED & FARM SUPPLY	773.40	149.45
293000	ZARNOTH BRUSH WORKS, INC.	1,190.00	1,846.00
R0001226	THE FOURTH OF JULY COMMITTEE	0.00	155.53
R0001499	ABDO-SPOTLIGHT-MAGIC WAGON	319.72	35.02
R0001533	RICHARD KARI	0.00	532.00
R0001534	TWIN PORTS PAINTING & PROPERTY	0.00	100.00
	TOTAL ALL VENDORS:		602,152.31
	Less: CAFD		(10.00)
	Less: Library		(5,921.39)
			<hr/>
	Bills approved		596,220.92
	Other:		
	MN Energy		39,733.68
	Viking Prop CD Loan		75,000.00
	Dump truck		83,854.72
	Payroll		428,966.12
	Payroll - benefits		<u>(35,639.57)</u>
	Total Bills and Payroll Approved		<u><u>1,188,135.87</u></u>

INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
00			
134700	CARLTON COUNTY TREASURER	891.15	2,060.37
161675	EMC NATIONAL LIFE	13,706.30	470.65
204400	LINCOLN NATIONAL LIFE	38,134.62	2,672.92
224750	MN STATE TREASURER'S OFFICE	276.86	1,030.19
236275	NORTHLAND VEBA TRUST	46,896.00	4,314.00
271975	TEAMSTER LOCAL 346 HEALTH FUND	244,381.54	28,182.00
289015	WELLS FARGO CREDIT CARD	67,892.73	27.68
R0001226	THE FOURTH OF JULY COMMITTEE		155.53
			38,913.34
32	LICENSES & PERMITS		
R0001533	RICHARD KARI		532.00
	LICENSES & PERMITS		532.00
41	GENERAL GOVERNMENT		
150100	D A L C O	5,372.92	103.96
161675	EMC NATIONAL LIFE	13,706.30	56.00
197800	L & M SUPPLY CO	15,445.16	18.43
212400	MICHAUD DIST INC	265.00	22.00
234600	NORTHERN BUSINESS PRODUCTS	8,566.03	139.76
236275	NORTHLAND VEBA TRUST	46,896.00	93.75
244950	PINE JOURNAL	83.20	41.60
279100	U S BANK EQUIPMENT FINANCE		314.03
284875	VERIZON WIRELESS	8,123.04	280.08
289015	WELLS FARGO CREDIT CARD	67,892.73	2,565.74
	GENERAL GOVERNMENT		3,635.35
42	PUBLIC SAFETY		
134900	CARLTON COUNTY TREASURER	1,815.21	11.00
137310	CENTURY LINK	22,786.39	624.18
139025	CINTAS	1,833.06	20.21
142100	CLOQUET MAIL STATION	711.64	9.82
150100	D A L C O	5,372.92	103.96
158000	DULUTH/SUPERIOR COMMUNICATIONS	10,652.19	75.00
161675	EMC NATIONAL LIFE	13,706.30	250.00

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CITY OF CLOQUET
 DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
42	PUBLIC SAFETY		
165650	FINGERPRINT AMERICA		987.50
170950	FRIENDS OF ANIMALS	23,700.00	7,750.00
195045	KEEPRS, INC.	7,247.50	461.98
197800	L & M SUPPLY CO	15,445.16	321.93
200650	LAMBERT AUTO GLASS	430.00	45.00
214800	CITY OF MINNEAPOLIS RECIEVABLE	910.80	98.10
236275	NORTHLAND VEBA TRUST	46,896.00	375.00
262850	SEWING UNLIMITED	664.00	54.00
264000	SIRCHIE FINGER PRINT LABS	623.85	62.79
284875	VERIZON WIRELESS	8,123.04	350.10
287900	WAL-MART COMMUNITY	652.12	29.88
289015	WELLS FARGO CREDIT CARD	67,892.73	749.84
	PUBLIC SAFETY		12,380.29
43	PUBLIC WORKS		
121000	ARROWHEAD SPRINGS INC	1,172.75	58.75
126980	BLOTTI CONTRACTING	5,952.15	5,912.40
137310	CENTURY LINK	22,786.39	133.11
137340	CHAMBERLAIN OIL CO., INC.	3,494.64	1,203.55
139025	CINTAS	1,833.06	9.68
161675	EMC NATIONAL LIFE	13,706.30	89.00
190175	JMF CONSTRUCTION INC.	9,694.50	1,907.10
190400	J. H. LARSON COMPANY	225.43	340.80
197300	KRAEMER CONSTRUCTION INC	4,072.50	112.00
197800	L & M SUPPLY CO	15,445.16	454.29
227575	MPOWER TECHNOLOGIES, INC	6,925.05	6,484.00
234600	NORTHERN BUSINESS PRODUCTS	8,566.03	48.99
236100	NORTHLAND CONSTRUCTORS	611,516.71	3,004.17
236275	NORTHLAND VEBA TRUST	46,896.00	125.00
244950	PINE JOURNAL	83.20	41.60
247400	396-PRAXAIR DISTRIBUTION, INC.	6,283.44	103.58
257925	ROYAL TIRE INC	4,001.63	2,188.11
263950	SINNOTT BLACKTOP LLC	590.00	125.00
265250	SNAP ON TOOLS	1,598.95	159.05
275075	TITAN MACHINERY	1,351.77	3,500.00
280400	ULLAND BROTHERS, INC.	475,933.41	2,170.03
284875	VERIZON WIRELESS	8,123.04	90.83
288100	WARNING LITES OF MN, INC.	309.40	290.00
289015	WELLS FARGO CREDIT CARD	67,892.73	67.00
293000	ZARNOTH BRUSH WORKS, INC.	1,190.00	1,846.00
	PUBLIC WORKS		30,464.04

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CITY OF CLOQUET
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INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
GENERAL FUND			
46	COMMUNITY DEVELOPMENT		
139800	CLOQUET AREA CHAMBER OF COMMER	38,290.58	6,539.14
	COMMUNITY DEVELOPMENT		6,539.14
LDO PROJECT FUND (EDA)			
46	COMMUNITY DEVELOPMENT		
236450	THE NORTHSPAN GROUP, INC.	2,500.00	918.00
	COMMUNITY DEVELOPMENT		918.00
COMMUNITY DEV OPERATING (CITY)			
36	MISCELLANEOUS		
207600	GERALD MANTHEY		250.00
	MISCELLANEOUS		250.00
46	COMMUNITY DEVELOPMENT		
128400	BRIGGS & MORGAN	1,250.00	4,500.00
161675	EMC NATIONAL LIFE	13,706.30	10.00
211400	MENARDS	3,773.35	248.00
234600	NORTHERN BUSINESS PRODUCTS	8,566.03	2.75
289015	WELLS FARGO CREDIT CARD	67,892.73	92.00
R0001534	TWIN PORTS PAINTING & PROPERTY		100.00
	COMMUNITY DEVELOPMENT		4,952.75
LIBRARY FUND			
00			
142950	CLOQUET SHAW MEMORIAL	381.37	29.40
170975	FRIENDS OF THE CLOQUET LIBRARY	746.85	114.95
			144.35
45	CULTURE AND RECREATION		

INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
LIBRARY FUND			
45	CULTURE AND RECREATION		
113650	AMAZON.COM CREDIT	4,398.17	504.86
123400	BAKER & TAYLOR	6,525.75	218.94
136850	CENTER POINT LARGE PRINT	333.12	42.54
140200	CITY OF CLOQUET - PETTY CASH	1,587.54	31.62
142800	CLOQUET SANITARY SERVICE	7,314.00	116.64
145800	COMPUDYNE	3,061.49	300.00
156800	DULUTH NEWS TRIBUNE	3,079.30	247.52
161675	EMC NATIONAL LIFE	13,706.30	60.00
171800	GALE/CENGAGE LEARNING	823.38	184.74
174300	GLORY SHINE JANITORIAL CLEAN	8,400.00	1,050.00
187500	INGRAM LIBRARY SERVICES	9,991.50	1,363.61
203200	LEXISNEXIS	400.00	50.00
203450	LIBRARY DISPLAY DESIGN SYSTEMS		38.00
210450	MEDIACOM LLC.	2,090.52	139.90
211700	METRO SALES, INC.	1,611.14	175.59
232300	THE NEW YORK TIMES		378.40
234600	NORTHERN BUSINESS PRODUCTS	8,566.03	79.33
267400	ST PAUL PIONEER PRESS	514.60	172.20
276600	TRI STATE BUSINESS SYSTEMS	801.70	298.86
280925	UNIQUE MANAGEMENT SERVICES	472.50	47.25
284875	VERIZON WIRELESS	8,123.04	105.03
289015	WELLS FARGO CREDIT CARD	67,892.73	136.99
R0001499	ABDO-SPOTLIGHT-MAGIC WAGON	319.72	35.02
	CULTURE AND RECREATION		5,777.04
PUBLIC FACILITIES PLANNING			
81	SPECIAL PROJECTS		
211400	MENARDS	3,773.35	222.38
	SPECIAL PROJECTS		222.38
PERMANENT IMPROVEMENT			
56	CONSTRUCTION & MAINTENANCE		
200750	LANDMARK ENVIRONMENTAL, LLC	2,663.94	1,787.50
	CONSTRUCTION & MAINTENANCE		1,787.50
PARK FUND			

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INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

PARK FUND			
45	PARKS/RECREATION		
110950	AARDVARK SEPTIC PUMPING	3,400.00	610.00
112050	ADVANCED SERVICES INC	784.00	196.00
137310	CENTURY LINK	22,786.39	169.32
139025	CINTAS	1,833.06	9.67
161675	EMC NATIONAL LIFE	13,706.30	34.00
175840	GRANDE HARDWARE CO.	942.19	32.45
175950	GRAPHIC TECHNOLOGIES	4,152.50	85.00
186500	INDEPENDENT SCHOOL DISTRICT 94	53,062.50	17,687.50
197800	L & M SUPPLY CO	15,445.16	392.47
227750	MTI DISTRIBUTING, INC.	4,117.21	470.66
236275	NORTHLAND VEBA TRUST	46,896.00	250.00
240725	O'REILLY AUTO ENTERPRISES LLC	1,736.28	146.30
277550	TURFWERKS	123.73	549.13
289015	WELLS FARGO CREDIT CARD	67,892.73	108.88
290300	WIDDES FEED & FARM SUPPLY	773.40	149.45
	PARKS/RECREATION		20,890.83
SENIOR CENTER FUND			
45	CULTURE AND RECREATION		
197800	L & M SUPPLY CO	15,445.16	7.95
	CULTURE AND RECREATION		7.95
PUBLIC WORKS RESERVE			
42	PUBLIC SAFETY		
161850	EMERGENCY AUTOMOTIVE TECH, INC	3,612.92	9,374.41
219067	MN DEPT OF ADMINISTRATION	5,861.33	2,211.54
	PUBLIC SAFETY		11,585.95
CITY SALES TAX CAPITAL			
00			
173575	GEORGE BOUGALIS & SONS INC	338,662.30	-90.59
280400	ULLAND BROTHERS, INC.	475,933.41	-13,984.74
			-14,075.33

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CITY OF CLOQUET
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INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

CITY SALES TAX CAPITAL			
81	SPECIAL PROJECTS		
173575	GEORGE BOUGALIS & SONS INC	338,662.30	9,060.14
280400	ULLAND BROTHERS, INC.	475,933.41	374,076.18
	SPECIAL PROJECTS		383,136.32
WATER - LAKE SUPERIOR WATERLIN			
50	STATION ONE		
214000	MIELKE ELECTRIC WORKS	60,981.00	223.33
	STATION ONE		223.33
51	STATION TWO		
111610	ACME TOOLS	231.65	16.74
121000	ARROWHEAD SPRINGS INC	1,172.75	34.75
137310	CENTURY LINK	22,786.39	197.75
139025	CINTAS	1,833.06	35.92
161675	EMC NATIONAL LIFE	13,706.30	40.00
179300	HACH COMPANY	4,596.85	354.89
197800	L & M SUPPLY CO	15,445.16	63.28
198250	L & S ELECTRIC, INC.		980.00
211400	MENARDS	3,773.35	39.42
214000	MIELKE ELECTRIC WORKS	60,981.00	223.33
236275	NORTHLAND VEBA TRUST	46,896.00	125.00
261750	SEELYE PLASTICS, INC.	415.02	42.78
	STATION TWO		2,153.86
52	LAKE SUPERIOR WATERLINE		
153800	DIGGERS HOTLINE, INC.	74.30	4.80
161675	EMC NATIONAL LIFE	13,706.30	20.00
236275	NORTHLAND VEBA TRUST	46,896.00	125.00
284875	VERIZON WIRELESS	8,123.04	35.01
	LAKE SUPERIOR WATERLINE		184.81
57	ADMINISTRATION		

INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER - LAKE SUPERIOR WATERLIN 57	ADMINISTRATION		
161675	EMC NATIONAL LIFE	13,706.30	3.30
	ADMINISTRATION		3.30
WATER - IN TOWN SYSTEM 49	CLOQUET		
113425	ALLIED BUSINESS PRODUCTS CORP		1,496.94
137310	CENTURY LINK	22,786.39	112.76
139025	CINTAS	1,833.06	9.67
141100	CLOQUET FORD-CHRYSLER CENTER	33,108.92	15.12
142100	CLOQUET MAIL STATION	711.64	24.18
161675	EMC NATIONAL LIFE	13,706.30	32.00
165375	FERGUSON WATERWORKS #2516	3,980.24	904.61
180500	HAWKINS INC	43,780.06	2,185.71
197800	L & M SUPPLY CO	15,445.16	56.93
211400	MENARDS	3,773.35	133.76
214000	MIELKE ELECTRIC WORKS	60,981.00	223.34
236275	NORTHLAND VEBA TRUST	46,896.00	125.00
247400	396-PRAXAIR DISTRIBUTION, INC.	6,283.44	62.15
265250	SNAP ON TOOLS	1,598.95	20.70
284875	VERIZON WIRELESS	8,123.04	35.01
287800	WAL-MART COMMUNITY	1,580.40	90.86
	CLOQUET		5,528.74
54	BILLING & COLLECTION		
161675	EMC NATIONAL LIFE	13,706.30	12.50
180425	HARRIS COMPUTER SYSTEMS	16,847.91	244.80
234600	NORTHERN BUSINESS PRODUCTS	8,566.03	5.50
236275	NORTHLAND VEBA TRUST	46,896.00	125.00
278600	TWIN PORT MAILING	34,824.92	3,311.40
279100	U S BANK EQUIPMENT FINANCE		104.68
	BILLING & COLLECTION		3,803.88
57	ADMINISTRATION & GENERAL		
137310	CENTURY LINK	22,786.39	79.87
161675	EMC NATIONAL LIFE	13,706.30	6.70

INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER - IN TOWN SYSTEM			
57	ADMINISTRATION & GENERAL		
197800	L & M SUPPLY CO	15,445.16	11.58
234600	NORTHERN BUSINESS PRODUCTS	8,566.03	5.50
	ADMINISTRATION & GENERAL		103.65
ENTERPRISE FUND - SEWER			
00			
286900	W L S S D	688,910.90	-4,865.00
			-4,865.00
55	SANITARY SEWER		
139025	CINTAS	1,833.06	9.67
161675	EMC NATIONAL LIFE	13,706.30	20.00
184675	HYDRO KLEAN	156,451.40	475.67
197800	L & M SUPPLY CO	15,445.16	90.93
247400	396-PRAXAIR DISTRIBUTION, INC.	6,283.44	41.43
248650	THE PROJECT CENTER	795.00	64.92
284875	VERIZON WIRELESS	8,123.04	35.01
286900	W L S S D	688,910.90	78,420.00
	SANITARY SEWER		79,157.63
56	LIFT STATIONS		
160950	ELECTRIC PUMP, INC.	5,802.67	4,796.40
	LIFT STATIONS		4,796.40
57	ADMINISTRATION & GENERAL		
137310	CENTURY LINK	22,786.39	53.24
142100	CLOQUET MAIL STATION	711.64	72.54
161675	EMC NATIONAL LIFE	13,706.30	28.50
215410	MINNESOTA ENERGY RESOURCES	41,099.28	46.86
234600	NORTHERN BUSINESS PRODUCTS	8,566.03	5.50
	ADMINISTRATION & GENERAL		206.64

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DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 10/03/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

STORM WATER UTILITY			
57	ADMINISTRATION & GENERAL		
161675	EMC NATIONAL LIFE	13,706.30	4.50
289015	WELLS FARGO CREDIT CARD	67,892.73	1,116.17
	ADMINISTRATION & GENERAL		1,120.67
59	OPERATIONS		
123050	B & B MARKET	311.40	12.00
161675	EMC NATIONAL LIFE	13,706.30	10.00
197800	L & M SUPPLY CO	15,445.16	62.98
	OPERATIONS		84.98
CABLE TELEVISION			
45	PUBLIC TV		
121000	ARROWHEAD SPRINGS INC	1,172.75	30.00
137310	CENTURY LINK	22,786.39	61.34
161675	EMC NATIONAL LIFE	13,706.30	13.50
210450	MEDIACOM LLC.	2,090.52	72.49
236275	NORTHLAND VEBA TRUST	46,896.00	31.25
	PUBLIC TV		208.58
EMPLOYEE SEVERANCE			
45	EMPLOYEE VACATION & SICK		
204400	LINCOLN NATIONAL LIFE	38,134.62	26.94
271975	TEAMSTER LOCAL 346 HEALTH FUND	244,381.54	1,342.00
	EMPLOYEE VACATION & SICK		1,368.94
CLOQUET AREA FIRE DISTRICT			
42	PUBLIC SAFETY		
161675	EMC NATIONAL LIFE	13,706.30	10.00
	PUBLIC SAFETY		10.00
TOTAL ALL DEPARTMENTS			602,152.31




CLOQUET

ADMINISTRATIVE OFFICES

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

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Aaron Reeves, City Administrator
Date: September 27, 2017 

ITEM DESCRIPTION: Approval of Raffle Permit

Proposed Action

Staff recommends that the City Council move to adopt **RESOLUTION NO. 17-82, A RESOLUTION APPROVING EXEMPT PERMIT TO CONDUCT A RAFFLE EVENT AT CLOQUET ARMORY-MINNESOTA NATIONAL GUARD.**

Background/Overview

The City has received an application from the North Shore Wrestling Club for a raffle event to be held on March 17, 2018 at the Cloquet Armory-Minnesota National Guard, 801 Highway 33 South.

Policy Objectives

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

Financial/Budget/Grant Considerations

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

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Resolution 17-82
- LG220 Application for Exempt Permit

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

RESOLUTION NO. 17-82

**A RESOLUTION APPROVING EXEMPT PERMIT
TO CONDUCT A RAFFLE EVENT
AT CLOQUET ARMORY-MINNESOTA NATIONAL GUARD**

WHEREAS, The City of Cloquet received an application from the North Shore Wrestling Club, 1023 North Central Avenue, Duluth, for an Exempt Permit to conduct a raffle event on March 17, 2018, at Cloquet Armory-Minnesota National Guard, 801 Highway 33 South.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City Council has reviewed the application of the North Shore Wrestling Club for an Exempt Permit to conduct a raffle event on March 17, 2018 at Cloquet Armory-Minnesota National Guard, 801 Highway 33 South, and has no objection to the Minnesota Gambling Control Board's issuance of such permit.

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 3rd DAY OF OCTOBER 2017.

Dave Hallback, Mayor

ATTEST:

Aaron Reeves, City Administrator

MINNESOTA LAWFUL GAMBLING
LG220 Application for Exempt Permit

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

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

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

Application Fee (non-refundable)

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

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

ORGANIZATION INFORMATION

Organization Name: North Shore Wrestling Club Previous Gambling Permit Number: X-92706-15-003

Minnesota Tax ID Number, if any: 30-0647427 Federal Employer ID Number (FEIN), if any: _____

Mailing Address: 1023 N Central Avenue

City: Duluth State: MN Zip: 55807 County: St. Louis County

Name of Chief Executive Officer (CEO): Lukas Nordby

Daytime Phone: _____ Email: _____
(Permit will be emailed to this email address.)

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

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

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

A current calendar year Certificate of Good Standing
Don't have a copy? Obtain this certificate from:
MN Secretary of State, Business Services Division Secretary of State website, phone numbers:
60 Empire Drive, Suite 100 www.sos.state.mn.us
St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767

IRS income tax exemption (501(c)) letter in your organization's name
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Cloquet Armory - Minnesota National Guard

Physical Address (do not use P.O. box): 801 Minnesota 33

Check one:

City: Cloquet Zip: 55720 County: Carlton

Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): March 17, 2018

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

Bingo Paddlewheels Pull-Tabs Tipboards

Raffle (total value of raffle prizes awarded for the calendar year, including this raffle: \$10,850.00)

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

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

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

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).

The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

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

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

The application is acknowledged with no waiting period.

The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.

The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

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

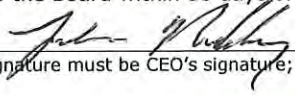
Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

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

Chief Executive Officer's Signature:  Date: 9/15/17
(Signature must be CEO's signature; designee may not sign)

Print Name: Lukas Nordby

REQUIREMENTS

Complete a separate application for:

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

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

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

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

MAIL APPLICATION AND ATTACHMENTS

Mail application with:

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

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

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

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

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

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JAN 08 2011

NORTH SHORE WRESTLING CLUB
609 FARRELL RD
DULUTH, MN 55811

Employer Identification Number:
30-0647427
DLN:
17053277333010
Contact Person:
THOMAS C KOESTER ID# 31116
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
May 31
Public Charity Status:
509(a)(2)
Form 990 Required:
Yes
Effective Date of Exemption:
September 15, 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

NORTH SHORE WRESTLING CLUB

Sincerely,

A handwritten signature in blue ink that reads "Robert Choi". The signature is written in a cursive style with a long horizontal stroke at the end.

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Publication 4221-PC



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: Aaron Reeves, City Administrator
Date: September 25, 2017

ITEM DESCRIPTION: Retail Tobacco License Suspension – Wal Mart Liquor Box

Proposed Action

Staff recommends that the City Council move to suspend the retail tobacco license at Wal Mart Liquor Box, 1308 South Highway 33, for ten (10) days effective upon proper notice being provided to the store manager.

Background/Overview

In Cloquet, all licensed tobacco premises are open to inspection by the City. From time to time, but at least twice per year, the City conducts compliance checks by engaging minors to enter the licensed premises to attempt to purchase tobacco, tobacco products, or tobacco related devices.

On July 24, 2017, a citation was issued to Wal Mart Liquor Box for a violation of Section 6.5 of the Cloquet Municipal Code. This citation was issued as a result of a sale of tobacco products to a minor. This citation was the second offense by the business in the past twenty-four (24) months. The first citation was issued on December 23, 2015.

Under Municipal Code, Section 6.5.09, Subd. 1, a licensee with two offenses within twenty-four (24) months will receive a \$200 fine and a ten (10) day license suspension. The licensee was notified on August 17, 2017 that they had twenty (20) days to request in writing an administrative hearing to contest such citation. This time passed with no request being made. The City Attorney and Chief of Police have reviewed this citation and concur that the suspension is valid and appropriate per Section 6.5 of the Municipal Code.

The City notified the licensee of the suspension to be considered by the City Council at their meeting on October 3, 2017. The Council should proceed with the suspension process.

Policy Objectives

The City regulates the sale of tobacco under Section 6.5 of City Code. The purpose, among several reasons, is to regulate the distribution of tobacco products in a manner which will help to prevent young people from starting to smoke.

Further, M.S. 461.12, Municipal Tobacco Licensing and M.S. 609.685, Sale of Tobacco to Children, also regulate the various issues that apply in this situation.

Financial/Budget/Grant Considerations

There are no direct financial impacts on the City as a result of the license suspension. The licensee has paid the \$200 administrative fee.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- None



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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Nancy Klassen, Finance Director *(Signature)*
Reviewed by: Aaron Reeves, City Administrator
Date: October 2, 2017

ITEM DESCRIPTION: Acceptance of 2016 Audit Results

Proposed Action

Staff recommends the Council move to accept the 2016 audit results as prepared by Wipfli LLP.

Background/Overview

Minnesota Statute section 471.697 requires the City to be audited by June 30th and the audit presented to the council by October 31st each year. The 2016 CAFR is also required to be submitted to the State Auditor and certain sections to be published in the City's official newspaper.

This will be the eleventh year the City's CAFR will be submitted for the GFOA Certificate of Achievement for Excellence in Financial Reporting.

Policy Objectives

Compliance with state statute.

Financial/Budget/Grant Considerations

Several negative impacts if the requirements were not met such as: withholding of State Aids, not qualifying for certain grants, increased bond cost or not able to issue certain types of bonds, etc.

Advisory Committee/Commission Action

Not applicable.

Supporting Documents Attached


None – presentation and distribution of certain reports in the 2016 CAFR at the work session. The full 2016 CAFR is available on the City website.



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www.ci.cloquet.mn.us

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Nancy Klassen, Finance Director 
Reviewed by: Aaron Reeves, City Administrator
Date: October 2, 2017

ITEM DESCRIPTION: Approval of the 2016 Fund Balance Policy Plan

Proposed Action

Staff recommends the Council to approve the 2016 Fund Balance Policy Plan.

Background/Overview

The council approved a Fund Balance Policy on November 20, 2007. The Policy has been revised a few times to comply with new GASB rules. The purpose of the policy is to establish guidelines for the City of Cloquet's components of fund balances and net positions.

The policy requires the City Administrator and Finance Director to review the City's fund balances and net positions and prepare a plan for any shortages or overages annually. The plan is to be approved by the council.

Policy Objectives

Address the 2016 requirements of the Fund Balance Policy.

Financial Impacts/Budget/Grant Considerations

Maintenance of sufficient fund balances and net positions for each of the City's funds as determined in the Fund Balance Policy.

Advisory Committee/Commission Action

Not applicable.

Supporting Documents Attached

- a. Fund Balance Policy
- b. Fund balance policy plan
- c. Fund balance worksheet



FUND BALANCE POLICY

FOR

CITY OF CLOQUET

1307 Cloquet Ave., Phone (218)879-3347, Fax (218)879-6555

Purpose

The purpose of this policy is to establish the specific guidelines for the level of fund balances available for current and future spending in the governmental funds. The fund balance policy addresses a minimum level of unrestricted fund balance to be maintained, how the unrestricted fund balance can be used or spent down and how that fund balance will be replenished if it falls below the minimum level. The policy also addresses when fund balances will be restricted to specific purposes.

Background

Government Accounting Standards Board (GASB) Statement No. 54 was enacted to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied and by clarifying the existing governmental fund type definitions. In governmental funds, a City should identify fund balance separately between non-spendable, restricted, committed, assigned or unassigned based on the relative strength of the constraints that control how specific amounts can be spent.

Proprietary funds' equity will be managed as a separate business-like enterprise as allowed by U.S. Generally Accepted Accounting Principles (GAAP). The funds will be monitored through operations and their rate structures. Examples of Proprietary funds include water, sewer, and storm water. Proprietary net position will be classified as either net investment in capital assets, restricted or unrestricted.

Governmental Fund Balance Classifications

In accordance with GAAP, the City will classify the fund balance in the following five categories:

1. Nonspendable Fund Balance

- a. Items not expected to be converted to cash such as prepaid items and inventory.
- b. Amounts that are legally or contractually required to be maintained intact such as endowments or permanent funds.
- c. Amounts are not available for future spending.
 - i. Examples may include:
 1. Prepaid items
 2. Inventory
 3. Long-term receivables (except if offset by deferred revenue)
 4. Land held for resale

2. Restricted Fund Balance

- a. Amounts subject to externally enforceable legal restrictions as established by creditors, grantors or contributors, or constraints imposed by state statutes.
- b. The constraint is for a specific purpose and legally enforceable.
- c. Examples may include:
 - i. Unspent bond or grant proceeds
 - ii. Tax increments
 - iii. Park dedication fees
 - iv. Franchise fees
 - v. Accumulated funds in debt service funds

3. *Committed Fund Balance*

- a. Amounts constrained for a specific purpose by City Council resolution.
- b. Constraint is self-imposed (not externally constrained).
- c. Only the City Council can change the constraint by a majority vote.
- d. The decision to commit fund balance must be made prior to December 31st (the final amount can be determined after year-end once year-end entries have been made).
- e. Examples may include:
 - i. Contractual commitments that will be satisfied with existing fund balance.
 - ii. Amounts transferred to a Capital Project fund for a specific purpose.
 - iii. Internal "Savings" to fund the five year Capital Improvement Plan.
 - iv. Excess amounts in the Debt Service Funds until transferred or spent.
 - v. Cash Flows in Funds supported predominately by property tax levies or State Aids (50% of the next year's budgeted levy and LGA).

4. *Assigned Fund Balance*

- a. For all funds other than the General fund, any remaining positive balances not already classified as nonspendable, restricted or committed.
- b. Constraint is self-imposed (not externally constrained).
- c. Assigned fund balances demonstrate the City's intended use.
- d. Constraints may be imposed by the City Council, City Administrator or Finance Director. Constraints must have a specific purpose.
- e. No constraints will be assigned resulting in a residual deficit in the fund.
- f. Examples may include:
 - i. Appropriation of existing fund balance (amounts used to balance the subsequent year's budget).
 - ii. Budget carry-overs for specific items such as election funding, facility studies, capital improvement funding.

5. *Unassigned Fund Balance*

- a. For the General fund, amounts not classified in any other category.
- b. For all other governmental funds, amounts of a residual deficit in the funds.
- c. The General fund is the only fund that can report a positive unassigned fund balance.
- d. Amounts are available for any purpose.

Fund Balance Flow Assumptions

The City normally intends to spend resources from fund balances in the following order as resources are available:

- Restricted
- Committed
- Assigned
- Unassigned

A different order of spending for a specific resource can be determined by the Council, City Administrator, or Finance Director. If a different order is used, it will be documented in the audit workpapers.

Governmental Fund Definitions

GASB Statement 54 provides clarification of the governmental funds definitions. The definitions are added to the fund balance policy to clearly define their reporting requirements. It is also important to understand the fund classification when determining the classification of their fund balances.

1. General Fund – Used to account for all financial resources not accounted for in another fund.
2. Special Revenue Funds – Used to account for report the proceeds of specific revenue sources that are restricted or committed to expenditures for specific purposes (other than debt service or capital projects).
 - a. One or more specified restricted or committed revenues are foundation for the fund (comprise a substantial portion of fund’s inflows).
 - b. Other inflows (i.e. interest and transfers) may be reported in fund, if restricted, committed or assigned to the specified purpose of the fund.
 - c. Restricted or committed proceeds of specific revenue sources should be expected to continue to comprise substantial portion of inflows of the fund.
 - d. Exception for specific revenue rules – General fund of Blended Component Unit (EDA).
3. Debt Service Funds – Used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest payments.
4. Capital Projects Funds – Used to account for and report financial resources that are restricted, committed, or assigned to expenditures for capital outlays, including the acquisition or construction of capital facilities and other capital assets. Capital project funds exclude those types of capital related outflows financed by proprietary funds or for assets that will be held in trust for individuals, private organizations, or other governments.

Enterprise Fund Equity

Enterprise funds are used to account for operations financed and operated in a manner similar to private business enterprises, where the City intends the cost of providing goods or services to the public be financed or recovered primarily through user charges. The City’s enterprise funds include the Water, Sewer and Storm Water funds.

It is the City’s intent to cover all operating, including depreciation, and non-operating expenses through user charges to eliminate the impact on taxpayers. User charges will be reviewed annually by the Finance Director to ensure adequate rates are charged for the services provided.

Enterprise funds’ equity will be classified in one of the following categories:

- *Net Investment in Capital Assets.* The component of net position which is the difference between assets and liabilities of proprietary funds that consists of capital assets less both accumulated depreciation and the outstanding balance of debt that is directly attributable to the acquisition, construction or improvement of the capital assets.
- *Restricted.* The component of net position which is the difference in assets and liabilities of proprietary funds that consist of assets with constraints placed on their use by either external parties (i.e. creditors or grantors) or through constitutional provisions or enabling legislation.
- *Unrestricted.* The difference between the assets and liabilities of proprietary funds that is not reported as Net Investment in Capital Assets or Restricted net assets.

Minimum Unrestricted Fund Balances

General Fund – To provide for emergencies or contingencies, such as revenue shortfalls, that the City may encounter as part of its operations the unrestricted fund balance should be at a minimum of 35% to 50% of fund operating revenues or no less than five months of operating expenditures according to the Office of the State Auditor (this includes the committed for cash flows). The City's goal will be to follow this recommendation.

Special Revenue Funds – The City has several special revenue funds that vary greatly in the type of activity. The unrestricted fund balances of special revenue funds funded with property tax levy should be at a minimum of 35% to 50% of fund operating revenues or no less than five months of operating expenditures according to the Office of the State Auditor (this includes the committed for cash flows). The City's goal will be to follow this recommendation if determined appropriate for the individual fund's type of activities.

Debt Service Funds – The balances at year end should be sufficient to meet the February 1st debt payments. Most of these funds will be restricted or committed for debt service and the assigned fund balance should be near zero.

Capital Projects Funds – The balances should be sufficient to fund the five year Capital Improvement Plan cash flow assumptions. Most of these funds will be committed for the capital improvement plan or committed for a specific project and the assigned fund balance should be near zero. Specific capital improvement funds may be negative because they are waiting on funding but should zero out at the end of the project.

Internal Service Fund – The balance should be sufficient to fund the liability. Accrued compensated absences and severances are recognized as a liability and net position should be near zero.

Enterprise Funds – It is expected that unrestricted net position will be large. These funds have large investments in infrastructure that need to be maintained. The City will complete a rate study for these funds every five to ten years or as otherwise determined by the City Administrator or Finance Director to ensure rates and unrestricted net position are sufficient to operate and maintain these activities long term.

Fund Balance Plan

The City will use all *budgetary and financial accounting options* available to maintain the minimum level of fund balance available for appropriation in the all City Funds. Some options available include the following items:

1. A specific budgeted revenue increase (i.e. ad valorem property tax increase).
2. Increase fees for services.
3. Reduction of expenditures in the budget.
4. Transfers from other available funds.
5. Sale of capital assets.

It is the intent of the City to minimize significant fluctuations in ad valorem property tax rates. The City is strongly dependent upon Minnesota state aids to subsidize the City's expenditure budget. State legislature may approve appropriation changes that would cause the City to adjust the property tax level by a large amount to maintain an appropriate level of fund balance and to provide the services needed by the community. The Administrator and Finance Director will monitor state legislation to be aware of possible cuts or increases in State appropriations. The Administrator will report significant changes to the City Council once realized. Further, the Council may commit a portion of the budget for possible cuts to state aids.

The Finance Director will report shortfalls or surpluses in the projected fund balance levels to the City Council yearly with the Fund Balance Plan to meet fund balance policy, or as soon as found to be a significant impact, whichever is sooner. The City Council is responsible for reviewing and approving the Fund Balance Plan.

If a *fund deficit* occurs, the plan should address the how deficits will be eliminated. The Finance Director will report the plan's effectiveness to the Administrator and City Council on a yearly basis. The fund balance must be restored to the targeted level within a reasonable amount of time.

A *fund surplus* above all internal and external constraints may also occur. In this case, the Finance Director will notify the City Council yearly in the Fund Balance Plan to discuss the circumstances of the surplus and determine whether or not the established threshold is effective. Some appropriate plans for using fund surpluses include the following items (but are not limited to):

1. Move budgeted expenditure into a future year due to unforeseen circumstances.
2. Fund a one-time project or project planning that would not normally be budgeted in the on-going operations of the City.
3. Return unused dollars to donors.
4. Transfer excess funds to another City fund to finance a project or cover a shortfall.

Other Policy Considerations

The City's *credit rating* for debt financing and investing will also be considered in the level of required General fund balance. The City Council may further restrict the required fund balance level to meet a higher credit rating need if possible. The City's credit rating is reviewed by the Administrator, Finance Director, and bond counsel when necessary. The City Administrator or Finance Director shall be responsible for conducting rating reviews.

City of Cloquet
Fund Balance Policy Plan
Based on 2016 Audited Balances

In accordance with the Fund Balance Policy adopted in 2007 and revised in 2011 and 2012 (due to GASB changes) any shortages or overages in fund balances are to be addressed by the Finance Director and City Administrator, and approved by the City Council. The following notes the funds with shortages or overages and the recommended plans:

Shortages

Senior Center Special Revenue Fund – The fund balance is at negative \$10,745 due to building and equipment repairs. The plan is to watch the fund and make a transfer from Parks Fund in the future if determined necessary.

Permanent Improvement – The fund balance is only \$4,206. There are different future funding sources that could be used for the City share of improvements in the future.

- The Planning 2021 Budget shows issuance of bond for City share of improvements.
- The Facilities Planning could also be transferred to Permanent Improvement depending on how much will be used for building repairs and projects.
- Franchise fees, if implemented, could be used for the City share of improvements.
- Increase levy allocation to Permanent Improvement.
- Transfers from the General Fund.

Sewer Fund – The unrestricted fund equity is still 57% of yearly revenues and expense but has dropped significantly in the last five years. A rate study is approved for 2017 and new rates could be implemented in the summer of 2018 to address this drop.

Stormwater Fund – The unrestricted fund equity is at negative \$39,495. This fund will be watched and rates will be increased if necessary in future years.

Employee Severance – The fund equity is at negative \$2,407. The proposed 2018 Budget shows a transfer of \$25,000 from the General Fund.

Overages

Business Park Bonds Debt Service Fund – The \$1.4 million is a planned increase of fund balance since it is unknown when future land sales and assessments will be available to support bond payments. It is recommended the amount be retained in the fund and the City has estimated that the 2016 balance along with special assessment on sold lots and interest revenues will be enough to pay the interest and principal of the bonds as they become due. The bonds could be called in 2019.

Swimming Bond Bonds – The \$1.17 million fund balance is due to an advance refunding and the old bonds will be paid off in 2018 and the fund balance will be decreased.

In-Town Water Enterprise Fund – The unrestricted fund balance is \$3.77 million and almost 291% of expenses. This fund has a large amount of capital infrastructure to maintain services. The balance is deemed not to be excessive. The reserve gives the City more flexibility in determining future rate increases to be charged to customers. The City reviews rates each year and had a rate study conducted by Progressive Consulting Engineers in 2009. Another rate study is being done in 2017. The In-Town Water Fund has tentative filter plants budgeted in 2018 for \$5.6 million and a Sunnyside water tower to analyze for the future.

City of Cloquet
Fund Balance Plan
2016

Fund#	Fund	Fund Balance	2016 Revenues		2016 Expend/Expenses		2016 Levy
Government Services							
Provide governmental services to public							
101	General (Admin/Police/Streets)	3,964,223	5,041,571	79%	5,430,710	73%	1,425,000
207	Community Development Operating (City)	145,303	142,902	102%	168,107	86%	105,000
211	Library	203,044	539,032	38%	535,113	38%	400,000
226	Park	327,721	508,207	64%	560,288	58%	300,000
228	Senior Center	(10,745)	9,940	-108%	15,531	-69%	-
614	Cable TV	226,528	108,191	209%	144,411	157%	-
Loans							
Economic development loans							
201	LDO Loan (EDA)	826,424	16,408	5037%	-	-	-
202	Federal CDBG Loan (EDA)	836,150	4,600	18177%	-	-	-
203	Economic Development Loan (City)	253,074	17,416	-	14,468	1749%	-
204	State SCDG/MIF (EDA)	128,758	700	18394%	-	-	-
206	Revolving SCDP (EDA)	2,398	2,398	-	-	-	-
208	SCDP (City)	-	62,709	-	62,709	-	-
Debt							
Make required debt payments							
220	TIF - Daqota/Woodward	13,200	18,331	72%	21,760	61%	-
221	TIF - 14th Street Apartment	13,488	22,631	-	21,467	63%	-
222	TIF - Oak Street Apartments	60,732	52,933	115%	47,739	127%	-
368	Business Park Bonds	1,408,613	15,929	8843%	246,948	570%	-
370	Swimming Pond Bonds	1,170,634	1,210,155	97%	148,421	789%	115,000
Capital Project							
Support the CIP & other capital acquisitions and projects							
224	Building Facilities Planning	2,028,800	504,000	403%	-	-	-
225	Permanent Improvement	4,206	385,923	1%	406,671	1%	260,000
231	Public Works Reserve	540,855	242,354	223%	247,676	218%	175,000
403	Capital Projects - Revolving	-	3,478,473	-	3,478,483	-	-
405	City Sales Taxes	464,417	921,240	100%	1,729,545	27%	-
Enterprise							
Provide utilities and storm water management							
600	Water - LSW - Unrestricted	40,907	2,687,682	2%	2,583,925	2%	1
601	Water - In Town - Unrestricted	3,772,297	1,157,458	326%	1,296,735	291%	1
602	Sewer - Unrestricted	917,716	1,617,385	57%	1,623,884	57%	1
605	Storm Water - Unrestricted	(39,495)	331,360	-12%	225,983	-17%	1
Other Funds							
260	Landfill Host Fee	303,388	42,868	708%	-	0%	-
701	Employee severance	(2,407)	24,966	-10%	61,064	-4%	-

- Fund Balance Policy shortages to be addressed.
 - Fund Balance Policy overages to be addressed.

1 - Includes transfer to General Fund.

2 - Refunded bond to be repaid in 2018. Holding \$1 million in escrow.



CLOQUET POLICE DEPARTMENT

JEFFREY PALMER
Interim Chief of Police

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

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

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Jeffrey Palmer, Interim Chief of Police
Reviewed By: James Barclay, Interim City Administrator
Date: September 29, 2017

Item Description: Authorization for Appointment of Administrative Police Secretary

Proposed Action

Staff recommends that the City Council move to approve the six-month probationary appointment of Haley Templin to the position of Administrative Police Secretary effective on October 4, 2017.

Background/Overview

Administrative Police Secretary, Nicole Eckenberg, resigned from the position effective September 22, 2017. Ms. Eckenberg's resignation created a vacancy in her position, Administrative Police Secretary, that needed to be filled.

In September, the City completed all of the due diligence required and posted the position vacancy as required under the AFSCME labor agreement. No members of the AFSCME unit posted for the position. The City then advertised publicly, received applications, and conducted interviews with the twelve selected candidates.

Through this interview process, the City identified Ms. Templin as its top candidate who has accepted the City's preliminary offer of employment subject to City Council approval. This candidate is currently employed at the Moose Lake Correctional Facility and has stated that she would be able to start work with the City of Cloquet on October 4, 2017.

Policy Objectives

The Police Department currently functions with two administrative secretary positions. These positions are integral to both assisting our officers and public with service demands. Keeping a fully staffed department is consistent with the service level directives of the City Council.

The City Council is the hiring authority for the City as determined by City Code and State law. The City Council must act to appoint this individual to complete the hiring process.

Financial/Budget/Grant Considerations

This position is currently fully funded as part of the adopted 2017 operating budget.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

None.



COMMUNITY DEVELOPMENT DEPARTMENT

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

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Al Cottingham, City Planner/Zoning Administrator
Reviewed By: James Barclay, Interim City Administrator
Date: September 27, 2017

ITEM DESCRIPTION: Zoning Case 16-20: Conditional Use Permit Amendment– SKB Environmental/Shamrock Landfill in the HI – Heavy Industry District

Proposed Action

The Planning Commission recommends the City Council move to adopt:

- **RESOLUTION NO. 17-09, APPROVING OF A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW FOR THE EXPANDED HOURS OF OPERATION FOR SKB ENVIRONMENTAL/SHAMROCK LANDFILL IN THE HI – HEAVY INDUSTRY DISTRICT**
- **RESOLUTION NO. 17-10, APPROVING OF A CONDITIONAL USE PERMIT AMENDMENT TO RAISE THE LIMITS OF ALLOWED PAPER SLUDGE WASTE FOR SKB ENVIRONMENTAL/SHAMROCK LANDFILL IN THE HI – HEAVY INDUSTRY DISTRICT TO 40%.**

Background/Overview

A public hearing was held on Tuesday, December 13, 2016 to consider a Conditional Use Permit amendment. The Conditional Use Permit amendment is to amend the hours of Shamrock Landfill to be open 7:00 am to 7:00 pm; seven (7) days per week while still maintaining the flexibility to expand hours beyond proposed for specific projects with approval from the City in the HI – Heavy Industry District. Also, to remove the 20% cap of the total annual volume of paper sludge waste and allow the acceptance of this material on a 24 hour basis. The heavy equipment on site would not be used after 7:00 pm or on Sundays to help with possible noise issues. A legal notice was published in the Pine Journal on December 1, 2016 and property owners within 1,320 feet were sent notices of the public hearing.

1. Hours of Operation - On February 15, 2011, the City Council approved a Conditional Use Permit for Shamrock Environmental, LLC for an Industrial Waste Landfill at 761 Highway 45 subject to a number of conditions. On November 5, 2014, one of the conditions that limited the hours of operation was amended to allow hours of 7:00 AM to 5:00 PM Monday through Saturday and Noon to 4:00 PM on Sunday. The Sunday hours were allowed on a trial basis only for the winter months of 2014 – 2015 and were specifically to allow SKB to dump paper sludge waste only with a maximum of 5 truckloads per day.

With the approved amended hours in 2014, the applicant was required to do a noise monitoring study in order to determine the amount of noise that is generated from the site and the possible impact on homes in the Hilltop (Antus) neighborhood. The study showed that the noise from the train whistle and some vehicles on Interstate 35 were louder than the noise volume coming from the landfill operations.

The proposed extended hours would not open the landfill for use by the general public, but instead only open the landfill for extended use by SKB or specific other companies with a preapproved contract. The applicant states this would eliminate the competitive disadvantage that they currently face with other Industrial Solid Waste Landfills in the region.

2. Paper Sludge - One of the conditions with the approval in 2011 was to limit the amount of paper sludge waste to a maximum of 20% of the total annual volume of waste material. The applicant is requesting that this limit be removed and that there be no limit on the volume of paper sludge waste.

With the 2011 approval, evidence was presented that pulp and paper sludge degradation may generate landfill gas that contains both methane and hydrogen sulfide. Under certain conditions, methane can contribute to a landfill fire; landfill gas emissions that contain hydrogen sulfide can result in odor impacts to adjacent properties. As a result of these concerns brought forward by the City and City residents, the applicant had agreed to limit their intake of such waste, held to no more than 20% of overall receipts, and to conduct quarterly landfill gas monitoring for methane and hydrogen sulfide in leachate collection cleanouts.

One of the concerns with the removal of limit is the generation of methane gas and other gases (ie. hydrogen sulfide, carbon dioxide and others). With the application, SKB submitted a "Gas Management and Monitoring Plan". This plan was forwarded to the City's landfill consultant, Fred Doran, Burns & McDonnell for their review and comments. SKB has revised their plan to address all of the comments raised by our consultant to his satisfaction. This monitoring plan would also need to have the approval of the MPCA prior to SKB's permit being amended by the State. Within the Zoning Ordinance, the section that is relevant is 17.4.02 which addresses performance standards.

One item pointed out by our consultant was that the amount of gas production for an Industrial landfill was significantly less than that produced by a MSW (Municipal Solid Waste) landfill. The volume generated by the Industrial landfill is approximately one third of that produced by a MSW landfill based on the same cubic yards of materials (not type).

Our consultant notes that other closed landfills with landfill gas control have been used for green space, parks/trails, golf courses, wildlife habitats and remote control (RC) model aircraft fields.

3. Standard of Review - Staff has discussed the application with the City Attorney in terms of rational for approval or denial of the amendments being proposed. The City Attorney has indicated that the standard of review to approve or deny an amendment to a Conditional Use Permit is the same as that for review of the permit originally, which is whether the zoning authority's action is reasonable. Whether approval or denial of an amendment to a permit is reasonable depends on whether the decision is adequately supported by the evidence in the record.

In order for the decision of the City Council to be found reasonable (and not arbitrary and capricious), the Councilors should state with clarity and completeness the facts and conclusions relied upon in reaching their decision. The fact that existing conditions currently are in place as it relates to the operation of the landfill would most likely not be reason enough to deny the application.

The Council may consider how potential future use may be affected by the amendment. The economic conditions or the needs of a business to survive are not land use issues to base decisions upon.

The Council may consider neighborhood opposition if it is based upon concrete information rather than vague concerns, doubts, or other nonspecific information. In other words, any factual evidence presented by neighbors can be used in the decision making process. However, because courts tend to interpret land use regulations narrowly and in favor of property owners, it is critical that the various laws, statutes, and facts are the basis for decisions, not opinion.

The Council must also adequately consider the applicant's mitigation plans with regard to any proposed amendment. So long as Councilors can articulate reasons based upon the evidence for approval or denial, a reviewing court will likely find their decision reasonable.

4. Other Items of Interest - The City has received questions as to the applicants legal ability to make application and request additional changes to its CUP. Under Section 17.2.06, Subd. 5, (D) of the Zoning Ordinance, no reapplication of any case denied by the City Council may be made within one (1) year of the date of such denial. In other words, a property owner has the legal authority under City Ordinance and State law to make application for changes as often as they wish with the sole exception being if they have been previously denied. The City can not limit such applications other than as described above.

The City has also received questions in regards to public notice of such applications. Under Section 17.2.01, Subd. 5 the City is required to provide notice to properties located within 350 feet of a planning & zoning application. The City is also required to publish notice in the local newspaper. Both of these actions are again consistent with State law. As noted above, the City arbitrarily increased the notification distance to try and get into the adjacent residential neighborhood so that members of the community would be aware of the application.

Policy Objectives

The Conditional Use Permit is for the Industrial Landfill in the HI – Heavy Industry District. The landfill was preexisting to the zoning ordinance amendment in 2011 which prohibited new landfills in the Heavy Industry District. The existing landfill is therefore grandfathered in as a legal non-conforming use under a Conditional Use Permit with those conditions identified at that time being applicable. Section 17.4.04 addresses non-conformities. Further amendment of the CUP could include additional conditions to be placed on the Conditional Use Permit to ensure adequate conditions and thresholds are in place to provide protections from the approved land use.

Under 17.6.15, Subd 3, as noted above, the current Zoning Ordinance now states that Industrial Solid Waste landfills and C & D landfills are prohibited. Further, under this same section the Ordinance states that there shall be no expansions to existing landfills of any type within the City. In reviewing the previous discussions of the Planning Commission and City Council, it is not clear if the expansion of a

landfill was limited only to the landfill's borders or if it also included the intensification of the use. The Council may wish to discuss this further as part of its deliberations.

This operation was approved as a Conditional Use in 2011 with conditions placed upon it. The Zoning Ordinance states Conditional Use Permits may be granted when they comply with the following approval criteria: *(Staff comments in italic)*

1. Consistency with the Comprehensive Plan. The relationship of the proposed use to the goals, objectives, and policies of the City of Cloquet Comprehensive Plan. *The Plan identifies the area as interim mining with commercial-industrial reserve following that. It was determined with the original Conditional Use Permit that this use is allowed within this district.*

2. Compatibility. The compatibility of the proposed use with existing development within three hundred (300) feet of the proposed use and within five hundred (500) feet along the same street and development anticipated in the foreseeable future within the neighborhood and conditions that would make the use more compatible. *The proposed use is compatible with the former use of this site as a gravel mining operation. Access to the site is via Highway 45 to the east along with two gravel operations, the Sappi wood lot and Carlson Timber.*

3. Importance of services to the community. The importance of the services provided by the proposed facility to the community, if any, and the requirements of the facility for certain locations, if any, and without undue inconvenience to the developer, and the availability of alternative locations equally suitable. *The landfill provides a location for industrial demolition materials to be brought for business in Cloquet and the surrounding area.*

4. Neighborhood protections. The sufficiency of terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood. *With the approval in 2011, there were a number of conditions to protect the residents some 1500 feet away. This included a berm and plantings. The "Gas Monitoring and Management Plan" will also help with this.*

5. Conformance with other requirements of this Chapter. The conformance of the proposed development with all provisions of this Chapter. *The proposed new hours of operation will be in compliance with all requirements of the Zoning Ordinance and the approved Conditional Use Permit. The additional amount of paper sludge waste should be evaluated in context of all of the various facts reviewed within this staff report.*

6. Other factors. Other factors pertinent to the proposed use, site conditions, or surrounding area considerations that the Planning Commission or the City Council feels are necessary for review in order to make an informed and just decision. *Resolution No. 11-11 adopted in 2011 addressed a wide variety of other factors pertinent to this land use and should be reviewed related to the applicant meeting this criteria.*

Options

The City Council has the following options that can be taken with this application:

1. APPROVE the requested hours of operation of 7:00 am to 7:00 pm, seven days a week with the dumping of materials only on Sunday.

2. DENY the requested hours of operation of 7:00 am to 7:00 pm, seven days a week with the dumping of materials only on Sunday.
3. APPROVE the increase of paper sludge waste and the additional hours of dumping of that material.
4. DENY the increase of paper sludge waste and the additional hours of dumping of that material.
5. TABLE consideration of the item seeking additional information from City staff or its consultants. Under Minnesota Statute 15.99 the City has limited time frames to take action on land use decisions. As a result, the City is required to take formal action no later than October 10th so it has the ability to table discussion to its next meeting. The Council can also consider adding new or amending existing conditions if it were to approve one or both of the requested changes.

As noted above under the Standards of Review section, should the City Council choose to deny either or both of these requests, it should state specific reasons for the denial.

Financial/Budget/Grant Considerations

The Conditional Use Permit fee is \$400. The applicant has paid this fee to cover the cost associated with the application process.

Advisory Committee/Commission Action

The Planning Commission has recommended approval of the Conditional Use Permit Amendment to expand the hours of operation subject to the conditions in the attached resolution on a 4–1 vote. This would allow the hours of operation to be from 7:00 am to 7:00 pm, seven days a week.

During the early operations of the landfill, staff received anonymous complaints regarding the operations and upon investigation determined that they were unfounded. The landfill has been in operation for over five years and has to date not been found in violation of any of the conditions of its existing CUP. The City has received complaints regarding the gravel mining operations in the same area which is why some people may have thought it was the landfill. With the extended hours that were approved in 2014, the applicant was required to monitor the noise levels to determine what if any were the impacts on the Hilltop neighborhood. The noise monitoring equipment showed that there was more noise coming from Interstate 35 and the railroad whistle than the trucks dumping loads at the landfill. There were no complaints filed with the city during this time frame.

There are currently four other users in this general area; two gravel operations, a wood storage yard and a woodchip operation. The Ulland Gravel Pit is approved to operate 12 hour days Monday through Saturday while the KGM Gravel Pit is approved to operate from 7:00 am to 8:00 pm Monday through Saturday. The woodchip operation typically operates from 6:00 am to 5:30 pm every day. The wood storage yard has no hours of operation. Both the woodchip operation and the wood storage yard are permitted uses in the HI – Heavy Industry District and thus the city does not regulate their hours of operation.

The Planning Commission discussed the hours of operation and the fact that there are no regulations for other businesses within the area, other than the Sand & Gravel Overlay regulations which apply to Ulland Brothers gravel pit operation, which restricts hours to 7:00 a.m. to 7:00 p.m. or daylight hours whichever is less, Monday through Friday unless otherwise stipulated in an approved Conditional Use Permit. They

To the Mayor and City Council
CUP SKB Environmental/Shamrock Landfill
September 27, 2017
Page 6

also discussed the noise monitoring that was done on a few occasions noting that the noise generated from the operations did not register on the monitoring devices that were placed approximately 1,000 feet away.

The Planning Commission has recommended approval of the Conditional Use Permit Amendment to remove the limits of paper sludge waste and the hours in which it can be delivered subject to the conditions in the attached resolution on a 3 – 2 vote.

The second part of the applicant's request is to remove the 20 percent limit on paper sludge waste also referred to as SRFI waste. As the applicant did not propose a comprehensive gas management plan, this limit was placed in the original permit on advice of the MPCA due to the fact that above 20% SRFI waste is known to produce methane gas in landfills. As part of this request the applicant has now submitted a "Gas Management and Monitoring Plan". This plan was given to the City's landfill consultant, Fred Doran, Burns & McDonnell for their review and comments which are attached. The comments have all been addressed to the satisfaction of our consultant; this includes the flow charts on landfill gas build up inside confined spaces and odor control. Copies of these are attached.

Staff has also discussed the request to increase paper sludge waste with the Minnesota Pollution Control Agency (MPCA) and has the following to offer. A change to SW-399 MPCA Permit will need to be submitted which will then be reviewed by staff to determine if this is a minor or major change to their permit. If it is a minor change then staff will review the proposal to be sure all requirements of the MPCA are met before approving the amendment. If it is a major change then it will require a public notification and hearing process prior to any change taking place. The MPCA staff who was contacted by the City indicated this change was not something that would be denied by MPCA as it met their minimum requirements.

The Planning Commission had considerable discussions on removing the limits of the paper sludge waste. They discussed the current limit of 20 percent (thin spread) and that the limit was set to avoid the possibility of methane gas production and the requirement of needing to install a gas monitoring system. They discussed the possible odors, methane gas, the monitoring and management of these with the increased amount of paper sludge waste. They have recommended that the amount of increased paper sludge waste be limited to 40 percent (see minutes).

Supporting Documentation Attached

- Resolution No. 17-09
- Resolution No. 17-10
- Resolution No. 17-09(D)
- Resolution No. 17-10 (D)
- Location Map
- Petitioner's Narrative
- Resolution 11-11 Approving the CUP
- Consultant Comment
- Power Point Presentation
- Frank McKean's email dated 1-13-17
- Dave Chmielewski's email dated 1-13-17
- December 13, 2016 and January 10, 2017 Planning Commission Meeting Minutes
- Verso letter dated 1-25-17

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

RESOLUTION NO. 17-09

**APPROVING OF A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW
FOR THE EXPANDED HOURS OF OPERATION FOR SKB ENVIRONMENTAL/SHAMROCK
LANDFILL IN THE HI – HEAVY INDUSTRY DISTRICT**

WHEREAS, an Application has been submitted by Shamrock Landfill to amend their existing Conditional Use Permit which was approved on February 15, 2011 and amended on November 5, 2014. The amendment request is pursuant to 17.2.06 of the City Code, for the 59-acre Industrial Landfill to modify their hours of operation to allow new hours of 7:00 A.M. to 7:00 P.M. seven days a week; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and all neighbors within 1320 feet were notified. A public hearing was held to consider the Application at the regular meeting of the Cloquet Planning Commission on December 13, 2016 at which time Zoning Case / Development Review No. 16-20 was heard and discussed; and

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

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

AND ALSO

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

AND ALSO

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

AND ALSO

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

AND ALSO

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

1. Beginning at a point on the south line of said Section 25, distant 100 feet west of the southeast corner of SW ¼ of SE ¼ thereof; thence run northeasterly at an angle of 68 degrees 00 minutes with said south line for 475 feet; thence deflect to the left at an angle of 112 degrees 00 minutes for 500 feet; thence deflect to the left at an angle of 68 degrees 00 minutes for 475 feet; thence deflect to the left at an angle of 112 degrees 00 minutes for 500 feet to the beginning.

2. From a point on the south line of said Section 25 distant of 100 feet west of the southeast corner of SW ¼ of SE ¼, thereof, run northeasterly at an angle of 68 degrees 00 minutes with said south section line for 475 feet to the point of beginning; thence continue northeasterly along the above described course to its intersection with a line run parallel with and distant 660 feet north of the south line of said Section 25; thence run west along said 660 foot parallel line to its intersection with a line run parallel with and distant 992 feet west of the east line of the SW ¼ of SE ¼ of said Section 25; thence run south along said 992 foot parallel line to the south line of said Section 25; thence run east along said section line for 392 feet; thence deflect to the left 68 degrees 00 minutes for 475 feet; thence deflect to the right 68 degrees for 500 feet to the point of beginning.

WHEREAS, the Cloquet Planning Commission reviewed the Application to Amend the Conditional Use Permit for Shamrock Landfill to modify their hours of operation to allow new hours of 7:00 A.M. to 7:00 P.M. seven days a week per Section 17.2.06 Subdivisions 3 and 4 of the Cloquet Zoning Ordinance and made a finding of fact as follows:

1. The landfill as previously determined had a legal right to establish their business in this location as a land use. After a moratorium on landfills in 2011, landfills are no longer allowed to be established or expanded in the City of Cloquet.
2. The proposed use is compatible with existing development within 300' of the proposed use and within 500' along the same street and development anticipated in the foreseeable future within the neighborhood and conditions would make the use more compatible.
3. The service provided by the landfill is important to the community.
4. The Amended Conditional Use Permit will continue to protect and maintain neighborhood protections for the surrounding neighborhood with these modified hours of operation.
5. This application is in conformance with other requirements of the Cloquet Zoning Ordinance.
6. There are no other factors or additional conditions impacting this application.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA: that the City Council approves Zoning Case 16-20 for an amendment to the Conditional Use Permit to modify their hours of operation to allow new hours of 7:00 A.M. to 7:00 P.M. seven days a week for SKB Environmental/Shamrock Landfill subject to the following conditions:

1. The hours of operation shall be 7:00 AM to 7:00 PM seven days a week. Exceptions to the hours are per the approved existing Conditional Use Permit.
2. No heavy equipment shall be operated on site between the hours of 7:00 PM and 7:00 AM. and on Sunday.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 3RD DAY OF OCTOBER, 2017.

Dave Hallback, Mayor

ATTEST:

Aaron Reeves, City Administrator

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

RESOLUTION NO. 17-10

**APPROVING OF A CONDITIONAL USE PERMIT AMENDMENT TO RAISE THE LIMITS OF
ALLOWED PAPER SLUDGE WASTE FOR SKB ENVIRONMENTAL/SHAMROCK
LANDFILL IN THE HI – HEAVY INDUSTRY DISTRICT TO 40%**

WHEREAS, an Application has been submitted by Shamrock Landfill to amend their existing Conditional Use Permit which was approved on February 15, 2011 and amended on November 5, 2014. The amendment request is pursuant to 17.2.06 of the City Code, for the 59-acre Industrial Landfill to raise the amount of paper sludge waste allowed to 40%; and, to allow the acceptance of the paper sludge waste at any time of the day or night; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and all neighbors within 1320 feet were notified. A public hearing was held to consider the Application at the regular meeting of the Cloquet Planning Commission on December 13, 2016 at which time Zoning Case / Development Review No. 16-20 was heard and discussed; and

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

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

AND ALSO

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

AND ALSO

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

AND ALSO

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

AND ALSO

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

1. Beginning at a point on the south line of said Section 25, distant 100 feet west of the southeast corner of SW ¼ of SE ¼ thereof; thence run northeasterly at an angle of 68 degrees 00 minutes with said south line for 475 feet; thence deflect to the left at an angle of 112 degrees 00 minutes for 500 feet; thence deflect to the left at an angle of 68 degrees 00 minutes for 475 feet; thence deflect to the left at an angle of 112 degrees 00 minutes for 500 feet to the beginning.

2. From a point on the south line of said Section 25 distant of 100 feet west of the southeast corner of SW ¼ of SE ¼ , thereof, run northeasterly at an angle of 68 degrees 00 minutes with said south section line for 475 feet to the point of beginning; thence continue northeasterly along the above described course to its intersection with a line run parallel with and distant 660 feet north of the south line of said Section 25; thence run west along said 660 foot parallel line to its intersection with a line run parallel with and distant 992 feet west of the east line of the SW ¼ of SE ¼ of said Section 25; thence run south along said 992 foot parallel line to the south line of said Section 25; thence run east along said section line for 392 feet; thence deflect to the left 68

degrees 00 minutes for 475 feet; thence deflect to the right 68 degrees for 500 feet to the point of beginning.

WHEREAS, the Cloquet Planning Commission reviewed the Application to Amend the Conditional Use Permit for Shamrock Landfill to raise the amount of paper sludge waste allowed to 40%; and, to allow the acceptance of the paper sludge waste at any time of the day or night per Section 17.2.06 Subdivisions 3 and 4 of the Cloquet Zoning Ordinance and made a finding of fact as follows:

1. The landfill as previously determined had a legal right to establish their business in this location as a land use. After a moratorium on landfills in 2011, landfills are no longer allowed to be established or expanded in the City of Cloquet.
2. The proposed use is compatible with existing development within 300' of the proposed use and within 500' along the same street and development anticipated in the foreseeable future within the neighborhood and conditions would make the use more compatible.
3. The service provided by the landfill is important to the community.
4. The Amended Conditional Use Permit will continue to protect and maintain neighborhood protections for the surrounding neighborhood with these modified hours of operation.
5. This application is in conformance with other requirements of the Cloquet Zoning Ordinance.
6. There are no other factors or additional conditions impacting this application.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA: that the City Council approves Zoning Case 16-20 for an amendment to the Conditional Use Permit to amend the limits of allowed paper sludge waste for SKB Environmental/Shamrock Landfill subject to the following conditions:

1. The Gas management and Monitoring Plan must be approved by the Minnesota Pollution Control Agency and implemented.
2. Loads of paper sludge waste are allowed to unload at any time of the day or night.
3. The amount of paper sludge waste is limited to a maximum of 40 percent of the total volume of intake on an annual basis.
4. The Shamrock Landfill Financial Assurance/Contingency Action Fund will add contingency cost for landfill gas exceedances and odor control to the MPCA permit.

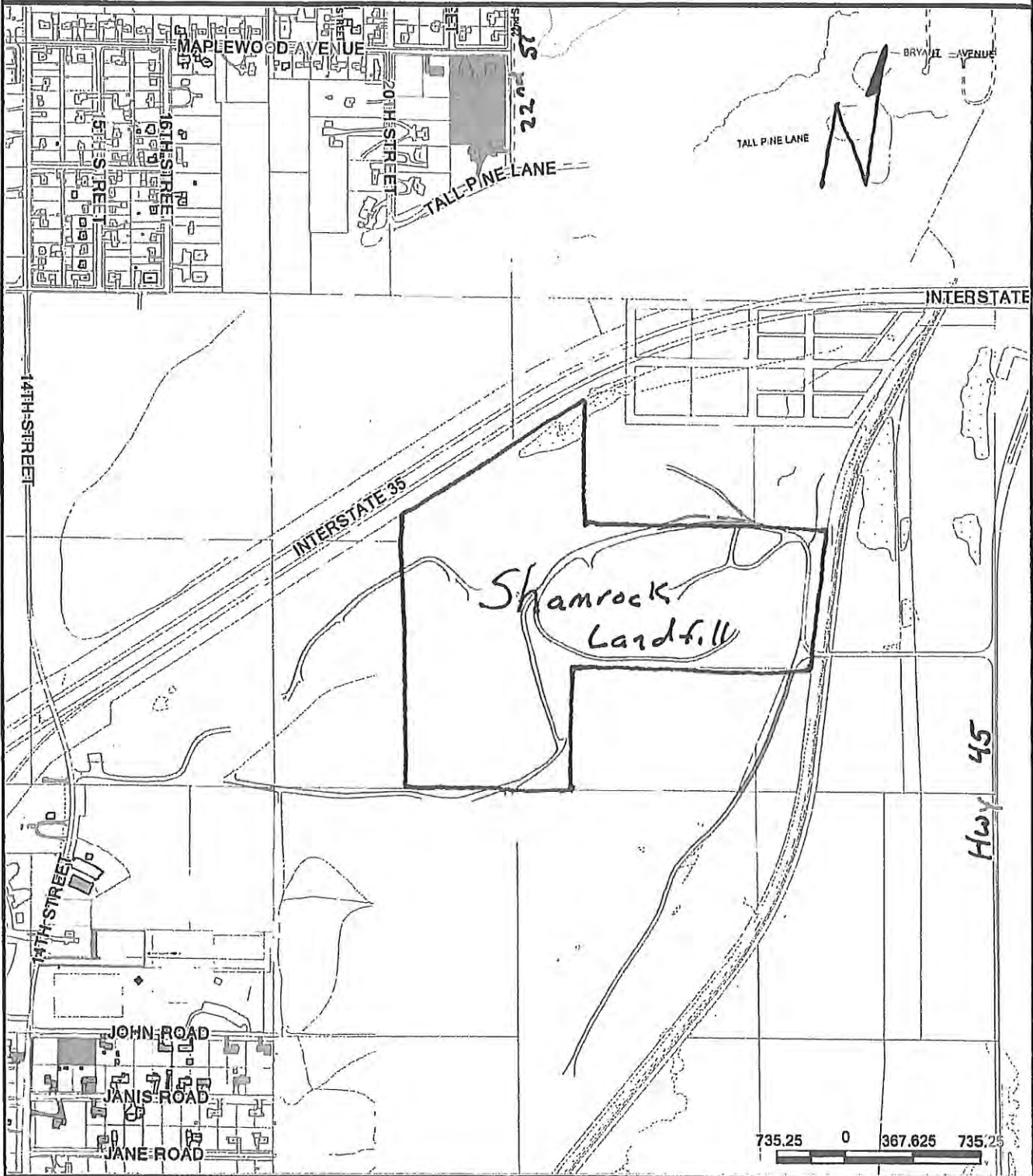
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 3RD DAY OF OCTOBER 2017.

Dave Hallback, Mayor

ATTEST:

Aaron Reeves, City Administrator

City of Cloquet



This map was compiled using data believed to be accurate; however, a degree of error is inherent in all maps. This map was distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of the maps to define the limits or jurisdiction of any federal, state, or local government. Detailed on-the-

10/19/16



City of Cloquet Community Development Department
Al Cottingham
1307 Cloquet Ave
Cloquet, MN 55720

RE: Conditional Use Permit Application

Mr. Cottingham,

Please see the included application and related information to amend our Conditional Use Permit. Below are the categories we are seeking to amend in order for our company to meet standard industry requirements, stabilize and grow our customer base and continue to be a strong community partner with the City of Cloquet.

Hours of Operation: Current hours are Monday through Saturday 7:00am – 5:00pm. It is our intent to have the ability to operate between the hours of 7:00am – 7:00pm; 7 days per week while still maintaining the flexibility to expand hours beyond proposed for specific projects with approval from the City of Cloquet.

Material Acceptance: Currently our CUP restricts our acceptance of “paper mill sludge” to a maximum of 20% of the total annual volume of material we receive at our site. With MPCA approval and implementation of the included Gas Management and Monitoring Plan it is our intent to lift the percentage restriction. Additionally, SKB Environmental Cloquet Landfill Inc. recently executed a new 5 year agreement with Verso Paper to responsibly manage paper mill sludge. In order to effectively manage this waste stream and to increase the Host Fee revenue to the City of Cloquet we are requesting to have 24 hour acceptance of this specific material at our facility.

We feel the above changes are necessary to eliminate the competitive disadvantage we face versus all other regional Industrial Solid Waste Landfills that offer extended hours of operation and material acceptance. SKB Environmental will reimburse the City of Cloquet the costs associated with hiring an independent Environmental Consultant to review and approve the enclosed application.

In closing, we look forward to further dialog and support from the City of Cloquet in achieving these objectives. Please feel free to contact me at any time with questions or comments.

Respectfully Submitted,


Kyle Backstrom

Enclosures-Application Form, Landfill Gas Management and Monitoring Plan

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

RESOLUTION NO. 11-11

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
TO ALLOW FOR THE EXPANDED OPERATION OF AN EXISTING LANDFILL
BY SHAMROCK ENVIRONMENTAL, LLC**

WHEREAS, An application has been submitted by Shamrock Environmental, LLC for a Conditional Use Permit, pursuant to 17.2.10 of the City Code, for expansion of the present 10-acre (approximate) demolition/industrial landfill operated by the Ulland Brothers, to a 59-acre footprint Industrial Landfill (42 acres of which would be landfill) located on the current Ulland Brothers Property west of Highway 45, which property is legally described on the attached Exhibit A; and

WHEREAS, There are presently two valid overlapping Conditional Use Permits for this site, a 1971 CUP (71-39) issued by the County which covers approximately 140 acres of land with no conditions attached, and a 1975 CUP (75-5) issued by the City of Cloquet which covers approximately 63 acres of land with no conditions attached, under which the existing landfill operates, and under which the existing landfill operation could be expanded (to the full extent of the property covered), without approval by the City and without conditions other than those imposed by the MPCA; and

WHEREAS, This Applicant requests expansion of the landfill to an additional 18 acres not covered in the existing permits, while giving up approximately 104 acres from the 1971 permit and while giving up approximately 22 acres from the 1975 permit, thereby limiting the total permitted area for this landfill to 59 acres (as stated above), to which all of the extensive conditions of this new Conditional Use Permit would now apply (by agreement of the Applicant); and

WHEREAS, A public informational hearing on the Application was held on August 4, 2010 and two landfill workshops were held by the Cloquet Planning Commission on July 27 and August 17, 2010; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and all neighbors within 350 feet were notified. A public hearing was held to consider the Application at the regular meeting of the Cloquet Planning Commission on September 14, 2010 at which time Zoning Case / Development Review No. 10-16 was heard and discussed. Approximately thirty members of the public attended the meeting and spoke during the public hearing; and

WHEREAS, On September 14, 2010 the Planning Commission recommended to the City Council by a 4-2 vote that the Conditional Use Permit be approved subject to conditions listed below; and

- That Shamrock Environmental, LLC Industrial Landfill comply with the attached "Draft Conditions" for operating an Industrial Landfill within the City limits of Cloquet.
- That Shamrock Environmental, LLC Industrial Landfill comply with the attached Litter, Dust, Noise, & Odor Management Plan.
- That Shamrock Environmental, LLC Industrial Landfill comply with the attached Fire Protection Plan.
- Minor modifications must be made by the applicant to the litter and odor plans before the City Council meeting and the applicant must clarify with R.W. Beck for more specifics on the proposed fire suppression (pump pressure).

WHEREAS, The Cloquet City Council met on September 21, 2010 to consider the Application and as part of that meeting took additional testimony from City Staff, the applicant and members of the public; and

WHEREAS, A motion to approve the Conditional Use Permit for the proposed landfill expansion failed on a 3-4 vote, with reasons being placed on the record at the time, resulting in the denial of the proposed Conditional Use Permit; and

WHEREAS, Minnesota Statute 15.99, Subdivision 2 (c) provides in-part, that:

...If a multimember governing body denies a request, it must state the reasons for denial on the record and provide the applicant in writing a statement of the reasons for the denial... The written statement must be consistent with the reasons stated in the record at the time of the denial.

WHEREAS, The City Council identified a variety of evidence as presented and collected through the above processes which led to the denial of the Application, which reasons were set forth in Resolution No. 10-71 which was approved at the next City Council meeting on October 5, 2010; and

WHEREAS, A motion to reconsider the Conditional Use Permit (with additional conditions) for the proposed landfill was then made, which passed unanimously, and was subsequently scheduled by the Council to be heard on November 16, 2010, however, on November 11, 2010 a complete citizens petition for an EAW was received by the EQB and forwarded to the MPCA for review (an incomplete petition had been submitted on November 1, 2010), halting all other governmental actions on this permit until a determination could be made by the MPCA regarding the need for an EAW; and

WHEREAS, The MPCA adopted Findings of Fact denying the request for an EAW on December 21, 2010 starting a new 60 day time period in which the CUP must be acted on (or it will be automatically approved), and at the same time re-issued the state permit (SW-399) for expansion of this landfill, and

WHEREAS, On that same evening (December 21, 2010) at a meeting of the City Council, a motion to approve the Conditional Use Permit for the proposed landfill expansion again failed on a 3-4 vote, however, the City Council did not place any reasons on the record for denial at that time, and also did not take action on a separate resolution to deny such application; and

WHEREAS, Because the Conditional Use Permit was not denied at the December 21, 2010 Council meeting, but only failed to be approved, the Council was still required to act within 60 days there from or the permit would be automatically approved pursuant to Minnesota Statute 15.99, and

WHEREAS, the City met again on February 15, 2011 to consider the application and as part of that meeting once again took additional testimony from city staff, the city attorney, the applicant, and members of the public.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that the Conditional Use Permit attached hereto and titled "*Final Conditional Use Permit (CUP) for the Shamrock Environmental, LLC Industrial Waste Landfill (Landfill) City of Cloquet (City), Minnesota*" to operate a landfill is approved subject to the following conditions:

1. The approval of the Industrial Landfill Permit by the Minnesota Pollution Control Agency (MPCA).
2. The applicant enters into a Host Fee Agreement with the City under the terms and conditions identified in such agreement and as amended by the City Attorney.
3. The applicant obtain and provide a copy of an access easement/permit from the Minnesota Department of Transportation (MnDOT) for access into the property from Highway 45 or provide other proof that the applicant has, as a matter of law, the right to use the MnDOT right-of-way access out to Highway 45.

BE IT FURTHER RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, adopts the following findings of fact for approval of the Final Conditional Use Permit:

1. The proposed use meets Conditional Use Permit Approval Criteria (1), because it is consistent with the Comprehensive Plan. The goals and objectives of the Comprehensive Plan for this zoning district include converting it from a Heavy Industry district to Commercial / Industrial Reserve, following completion of the gravel mining operation which has been ongoing for more than 30 years and is projected to continue for an additional 30 years or more. The City Council believes that the Comprehensive Plan does allow for a landfill to act as the center piece around which future development in this district would then take place, as demonstrated in the Boonestroo report provided by the Applicant. The proposed landfill could therefore be integrated successfully into the City's future land use plan identified within the Comprehensive Plan. Integral then to the success of this vision will be the involvement of Shamrock Environmental, LLC in participating in the End Use Planning for this area along with current gravel operators identifying successful reclamation plans for mined areas. As part of furthering the vision identified in the Comprehensive Plan for transportation connectivity between 14th Street and Highway 45, the applicant is proposing to provide the City with a 66' potential frontage road easement along the north side of the Industrial Landfill to provide better access to the Fond du Lac Tribal and Community College and Antus Addition, and which will also provide access for expanded future commercial / industrial development of this area.

2. The proposed use meets Conditional Use Permit Approval Criteria (2), because it is compatible with existing development within 300 feet and within 500 feet on the same street. Existing neighboring uses within 500 feet include a large industrial woodlot and surrounding gravel mining operations, all which are compatible with the present landfill and Applicant's proposed expansion of that use. The City Council further believes that a future change in use of adjoining property to the west, from Heavy Industry to Highway / Commercial / Residential mix, as according to the Comprehensive Plan, does not create any incompatibility because the adjoining property to the west is not conducive to residential development within 500 feet of the proposed expanded use, being in the bottom of a mined out gravel mining pit, which future use shown is appropriate as a buffer zone for the Hilltop neighborhood, and which would more appropriately be developed as Highway / Commercial property or possibly be rezoned to Commercial / Industrial Reserve, as is indicated for the rest of the former gravel mining operation. The City Council further believes that there is no conflict with City Zoning Ordinance, Section 17.6.15, Subd. 4(D), which provides that "dumping" may only be authorized as a conditional use within a Heavy Industry District "if it is located at least four hundred (400) feet from any Residence District," because there is no residence district within 400 feet of the proposed landfill at the present time, and that specific provision does not allow for future use considerations.
3. The proposed use meets Conditional Use Permit Approval Criteria (3), because it will provide the following important services to the community: local disposal option with reduced transportation costs to City businesses; recycling services for construction and demolition debris which are not currently offered in City; recycling services for other items such as appliances, tires, wood, concrete, metal, and cardboard. The City Council believes that it would be beneficial to have the landfill in the proposed location given the zoning, easy freeway access, surrounding industrial uses, and the presence of the existing landfill, which does not provide any services to the public at present under the prior issued permits.
4. The proposed use meets Conditional Use Permit Approval Criteria (4), because it adequately protects the uses in the surrounding and nearby neighborhoods. The immediate surrounding neighborhood is comprised of other heavy industrial uses taking place on more than 200 acres in this Heavy Industry district. More than a quarter mile distant from the nearest edge of the proposed expanded landfill is the nearby residential hilltop neighborhood, which includes approximately 260 homes, two apartment buildings containing 60 units, and a Community College, of which the homes all rely on groundwater wells for their water supply, including their drinking water. The proposed expansion will include a state of the art liner system and leachate control cell design, which does not require separate onsite leachate storage capability, which has received full approval and permitting from the MPCA. The City Council therefore believes that the proposed design and location will not have a detrimental impact on the groundwater in the future. The City Council further relies on a groundwater report from Barr Engineering (Barr Engineering Report, 2010) that there is no nexus between the groundwater supply or directional groundwater flow for the Antus Addition and the proposed Landfill location. Additionally, the MPCA conducted a Public Informational Meeting on October 21, 2010 at which time their staff provided testimony, including the project hydrologist, that this project would protect the groundwater even in light of its proximity to the groundwater table. The

applicant provided a white paper on landfill liners to the City, and MPCA staff testified that landfill liners ensure protection, especially given that the applicant will conduct electrical leak location testing once the liner is installed. R.W. Beck, the City's landfill consultant, highlights that liners are effective when used in conjunction with a successful leachate management strategy. The proposal from the applicant uses trucking of leachate as opposed to building on-site storage or connection to the sanitary line on Highway 45. On October 28th, the MPCA met with R. W. Beck staff and decided to add a requirement into the state application that an auto-call system be installed to notify operators when leachate levels exceed 5' (4' is designed storage) in the sump area and they added permit requirement to investigate other options if leachate exceedance occur often. On December 21, the MPCA determined that an EAW would not be required, after review of the Citizens Petition requesting an EAW and after review of all environmental concerns stated therein. The Council therefore believes that there do not appear to be any remaining unaddressed environmental concerns based upon the review and approval by the MPCA, and that the surrounding neighborhoods are therefore adequately protected from such harms.


5. The proposed use meets Conditional Use Permit Approval Criteria (5), because it is in conformance with all other requirements of the Zoning Ordinance. The Applicant has agreed to all reasonable conditions which have been made a part of the Conditional Use Permit, which are concessions made in response to all reasonable objections that have been raised under the requirements of the Zoning Ordinance. The City Council therefore believes that there do not appear to be any unaddressed nuisance or other concerns based upon the conditions agreed to by the Applicant as part of the permit application, and no objection can therefore be made to this Criteria.
6. The proposed use meets Conditional Use Permit Approval Criteria (6), because all other factors pertinent to the proposed use, site conditions, or surrounding area considerations have been reviewed and have been adequately addressed or responded to during this process, including:
 - The reduced hours of operations, added as a new concession, and the other terms of the Final Conditional Use Permit, provide for adequate neighborhood protections and for reasonable peace, comfort and welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site including the areas within 300 feet of the proposed use and within 500 feet along the same street, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
 - National and local property valuation information was examined, including a report from Ramsland & Vigen, which demonstrate there is no adverse relationship between residential proximity to a landfill, and therefore there should be no adverse devaluation of property in the Antus Addition and therefore this project is aligned with the general welfare of the public.
 - The applicant has offered the community a financial guarantee beyond the mandatory environmental fund, in the form of a negotiated host fee which will provide a minimum security fund to the City of \$1.2 million dollars, to

provide environmental insurance for the City in the case of a liner failure where neighboring wells become contaminated or unusable, and Applicant is unable to cover the costs of remediation.

- The applicant has applied to convert an unlined Class III Demolition Landfill into an Industrial Landfill. As such, the landfill can accept pulp and paper sludge (e.g., SRFI waste), from local and regional industries as a form of alternative daily cover (ADC). Evidence was presented that pulp and paper sludge degradation may generate landfill gas that contains both methane and hydrogen sulfide. Under certain conditions, methane can contribute to a landfill fire; landfill gas emissions that contain hydrogen sulfide can result in odor impacts to adjacent properties. As a result of these concerns brought forward by the City and City residents, the applicant has agreed to limit their intake of such waste, held to no more than 20% of overall receipts, and to conduct quarterly landfill gas monitoring for methane and hydrogen sulfide in leachate collection cleanouts. Pulp and paper waste sludge will only be thin spread and will not be disposed in bulk deposits. These requirements have been added to the MPCA permit language. In addition, the Final Conditional Use Permit includes an odor mitigation plan that addresses controls and responses to prevent or responds to potential odors that may impact adjacent properties.
 - The proposed use will generate additional Truck traffic on the access road. However truck volumes are not expected to be greater than volumes seen on that access road in the past. The trail crossing is only a short distance down the access road from Highway 45, followed shortly thereafter by a railroad crossing, so that trucks coming from either direction will not have the distance to accelerate to a high rate of speed, and will be moving slowly as they pass the trail crossing. The trail crossing is marked and has stop signs for trail traffic at the access road. The City Council therefore believes that the new paved public bicycle and hiking trail which crosses that access road will still be safe for use, so long as users (and especially families with young children) who make use of the trail, exercise caution at the trail intersection with the access road.
7. The City Council further believes that the Applicant's Conditional Use Permit will allow the City to ensure that the existing landfill is not operated and expanded unconditionally, to the extent of the prior permits, because this Applicant's permit will supersede the prior permits (by agreement of the Applicant), and will run with the land and be binding on any future owners of the landfill as well. Because there are presently two valid overlapping Conditional Use Permits for this site, covering up to approximately 145 acres of land with no conditions attached, to which the existing landfill operation could be expanded without approval by the City and without conditions of operation other than those imposed by the MPCA, and because this Application requests expansion of the landfill to an additional 18 acres not covered in the existing permits, while giving up approximately 104 acres (overlapping) from the prior permits, for a total permitted area limited to 59 acres, and because the extensive conditions of the new Conditional Use Permit will apply to the entire 59 acre landfill by agreement of the Applicant, the City Council therefore believes that the

Applicant's Conditional Use Permit will allow the City to make sure that updated technology, safeguards and adequate operating conditions are put in place to address the operation and expansion of this existing landfill and to ameliorate safety and environmental concerns that have not been addressed by the prior owner.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 15th DAY OF FEBRUARY, 2011.**



Bruce Ahlgren, Mayor

ATTEST:



Brian Fritsinger, City Administrator

Technical Memo



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To: Geoff Strack, PE
Waste Connections

From: Tom Shustarich, PE, Wenck Associates, Inc.

Date: December 22, 2016 (Revised)

Subject: Response to Comments Re: October 2016 SKB Environmental Cloquet Landfill Gas Management and Monitoring Plan

The following are responses to Burns & McDonnell's comments regarding the review of the October 2016 SKB Environmental Cloquet Landfill Gas Management and Monitoring Plan, MPCA Permit #SW-395 prepared by Wenck. Burns & McDonnell's comments are provided in italics and are followed by Wenck's response.

1. ***Section 2.2:** The detail for the vertical gas vent provided on Figure 3 does not align with Section 2.2 of the report regarding the extension of vertical piping above the surface of the landfill. The perforated end cap (for the gas vent detail provided on Figure 3) should be a minimum of 4-feet above the ground to prevent snow from blocking the vent.*

Response: Noted; the detail has been modified to correlate with the recommendations above. A revised Figure 3 is attached.

2. ***Section 3.0:** Details regarding monitoring of the leachate sump riser pipes and cleanouts need to be added to the plan and comply with Section 3.3.2 of the SW-399 Minnesota Pollution Control Agency (MPCA) permit. Recommend increasing the frequency of sampling of the leachate sump riser pipes and cleanouts to monthly in order to align with gas probe sampling. Add these monitoring locations to the monitoring log provided in Appendix A.*

Response: SKB Cloquet is proposing to monitor the leachate sump riser on a monthly basis in order to align with the gas probe sampling. This monitoring location has been added to the monitoring logs in Appendix A and is attached.

3. ***Section 3.3:** The Plan should also address the monitoring of hydrogen sulfide (required in Section 3.3.2 of the SW-399 MPCA Permit) on a monthly basis at the time of methane sampling. Add hydrogen sulfide to the mentoring log in Appendix A.*

Response: Hydrogen sulfide will be added to the monitoring parameters and will be added to the monitoring log. Attached is a revised Appendix A.

4. ***Section 3.3.1:** Please provide a detailed list of on-site structures that will receive monthly monitoring. Add these structures to the monitoring log provided in*

Appendix A.

Response: There is only one on-site structure as noted in the monitoring log; the scale house trailer. The scale house trailer will have a continuous monitor. If additional permanent structures are added to the facility, they will be added to the monitoring log. It is important to note that monthly readings using a hand held meter will be obtained from the two quonset hut type structures on-site. Please refer to the revised and attached Figure 2 for location as well as Appendix A for log sheets.

5. **Section 3.3.1:** Please provide the proposed location for the continuous gas monitor located at the scale house trailer.

Response: The continuous gas monitor will be located in the southern portion of the office trailer. This area is used as the scale house.

6. **Section 3.4:** Details should be provided in the Plan to address odor control if odors are detected at the facility as outlined in the February 2011 Conditional Use Permit (CUP).

Response: Please refer to the attached Odor Control Contingency Flow Chart for details addressing odor control.

7. **Section 3.4:** A short term contingency action plan needs to be provided if exceedances are detected within buildings (i.e., ventilating affected structures, daily monitoring if not a continuously monitored structure, etc.) and gas probes (i.e., increase frequency of monitoring to daily for two weeks to confirm exceedances of methane, weekly monitoring until alternative system implemented). In addition, a plan for addressing gas exceedances should be developed in a timelier manner than 180 days. Gas exceedances need to be addressed expediently since they could lead to explosive conditions.

Response: Noted and agreed. SKB Cloquet has attached a Contingency Flow Chart addressing the action plan for gas buildup inside enclosed structures or gas probe exceedances of 25% LEL, respectively.

8. **Section 3.6:** Exceedances should be reported to the MPCA Duty Officer and the City within 24 hours of detection.

Response: Exceedances will be reported to the MPCA permit engineer for the site, and the City of Cloquet will also be notified.

9. **Table 1:** A note should be added that actual depth of probe shall be determined during probe installation in accordance with Minn. R. 7035.2815, Subpart 11.C.

Response: Noted.

10. **Table 1:** The minimum stick up length provided in Table 1 does not match the detail for the gas probes on Figure 3.

Response: With the removable locking lid as shown on the probe detail on Figure 3 the minimum stickup will be met.

11. **Figure 2:** Per Minn. R. 7035.2815, Subpart 11.B, "gas monitoring probes must be placed between the disposal site and on-site structures or property lines". An additional gas monitoring probe (or relocation of GP-1) should be placed between the existing waste mass and the scale house trailer.

Response: GP-1 will be relocated approximately 300 feet west as shown on revised Figure 2.

12. **Figure 3, Detail 1:** Recommend adding requirements for the coarse aggregate size to ensure that the aggregate is larger than the perforations of the gas probe screen.

Response: The aggregate size will be included on the construction specifications at the time of installation but will be a minimum of 1/2 inch in diameter. See attached Figure 3.

13. **Figure 3, Detail 1:** The minimum stick up length provided in Table 1 does not match the detail for the gas probes on Figure 3 (mentioned above).

Response: See response for Comment 10.

14. **Figure 3, Detail 3:** The detail for the vertical gas vent provided on Figure 3 does not align with Section 2.2 of the report regarding the extension of vertical piping above the surface of the landfill (mentioned above).

Response: The gas vent detail will be modified to reflect a minimum of 4 feet above the landfill surface.

15. **Appendix A, Gas Probe Log:** Modify gas probe log to include hydrogen sulfide monitoring, leachate sump riser pipes and cleanouts monitoring, and on-site structure locations without continuous monitoring (mentioned above).

Response: SKB Cloquet is proposing to monitor the leachate sump riser on a monthly basis in order to align with the gas probe sampling. This monitoring location has been added to the monitoring logs in Appendix A and is attached.

It is important to note that a revised Gas Management Plan incorporating the responses within this memo will be submitted by SKB Cloquet once the responses are agreed upon by SKB and the City of Cloquet.

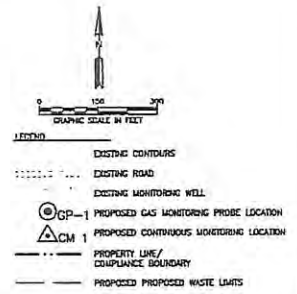
Attachments

Figures

- 1 Aerial Site Location Map
- 2 Proposed Gas Monitoring Locations
- 3 Proposed Gas Monitoring Construction Details

10/11/16 10:00 AM

10/11/16 10:00 AM



NOTE:
 1. TOPOGRAPHY UPDATED APRIL 2015.
 2. PROPOSED LOCATION OF FUTURE GAS PROBES AS CELL DEVELOPMENT EXPANDS TO THE EAST.

REV	DESCRIPTION	DATE	APP'D	REV DATE
A	ISSUED FOR AGENCY REVIEW	10/11/16	JVB	10/11/16

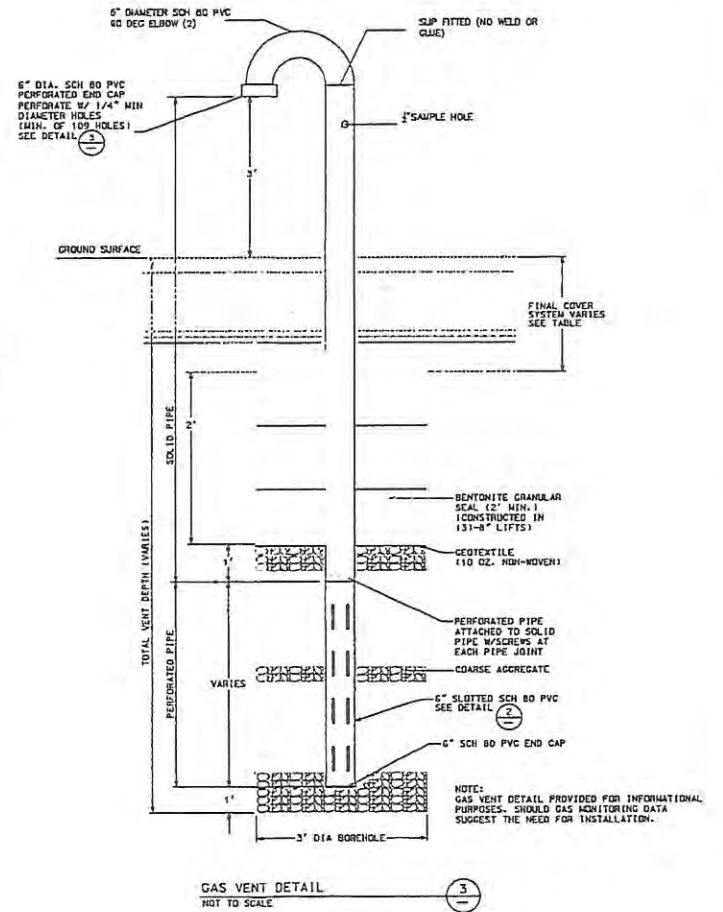
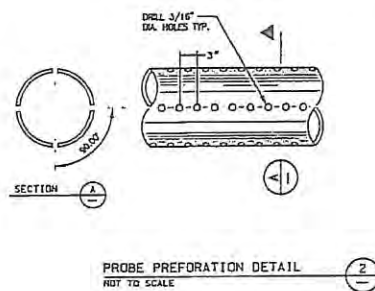
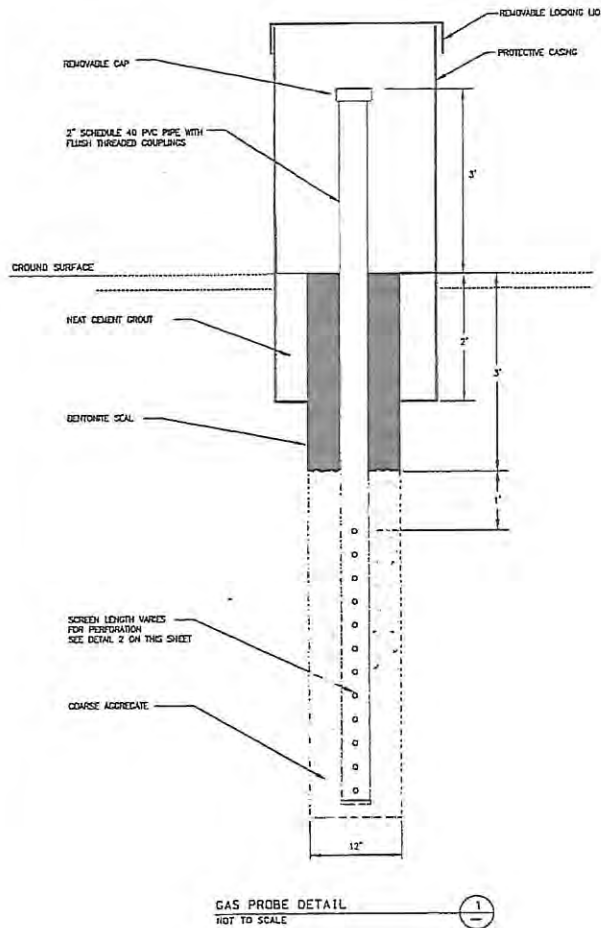
SEAL	SUB CONSULTANT	PRINCIPAL CONSULTANT

WENCK ASSOCIATES
 Responsive partner. Exceptional outcomes.
 1600 PIONEER CREEK CENTER 763-478-4200
 1600 PIONEER CREEK CENTER 763-478-4242

PROJECT TITLE
 SKB ENVIRONMENTAL LANDFILL CLOSURE
 GAS MANAGEMENT AND MONITORING PLAN
 SKB ENVIRONMENTAL, INC.

PROJECT NO. 3053-0037		SHEET TITLE PROPOSED GAS MONITORING LOCATIONS	
OWN BY JVB	CHKD BY SH	APP'D TJS	DWG DATE OCTOBER 2016
SCALE AS SHOWN	SHEET NO. FIGURE 2	REV NO. A	

Pur. 04/18/16 11:24 AM



WENCK ASSOCIATES 3/11/16 11:24 AM

REV	REVISION DESCRIPTION	OWN	APP	REV DATE
A	ISSUED FOR AGENCY REVIEW	JVB	TJS	10/11/16

SCALE	SUB CONSULTANT	PRINC CONSULTANT

PROJECT TITLE
SKB ENVIRONMENTAL LANDFILL CLOSURE GAS MANAGEMENT AND MONITORING PLAN

WENCK ASSOCIATES
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1500 PRINCE OF ORANGE CENTER MAPLE PLAZA, IA 53339 763-478-4200 763-478-4242

PROJECT TITLE	SHEET TITLE
SKB ENVIRONMENTAL, INC.	GAS PROBE DETAILS

OWN BY	CHKD SH	APP'D TJS	DATE	SCALE	REV NO.
JVB	SH	TJS	OCTOBER 2016	AS SHOWN	A

PROJECT NO. 3053-0037 SHEET NO. FIGURE 3

Appendix A

Gas Probe and Continuous Gas Monitor Log Sheets

SKB Environmental
Cloquet Landfill Gas Probe Log

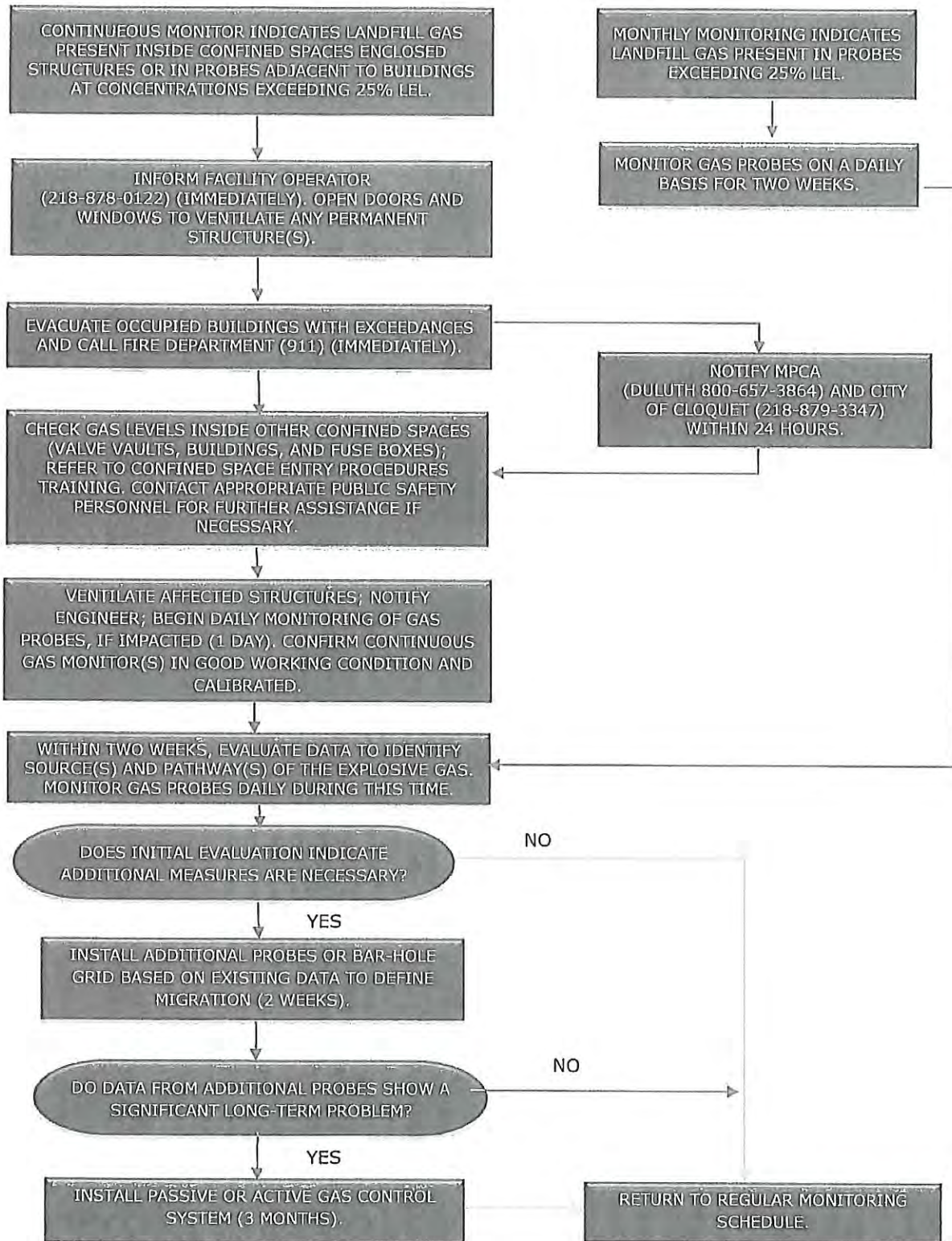
Monitor	Date	Methane	Carbon	Oxygen	Temp.	Static	Differential	Barometric	Notes
GP-1									
GP-2									
GP-3									
GP-4									
GP-5									
GP-6									

Contingency Action Flow Charts

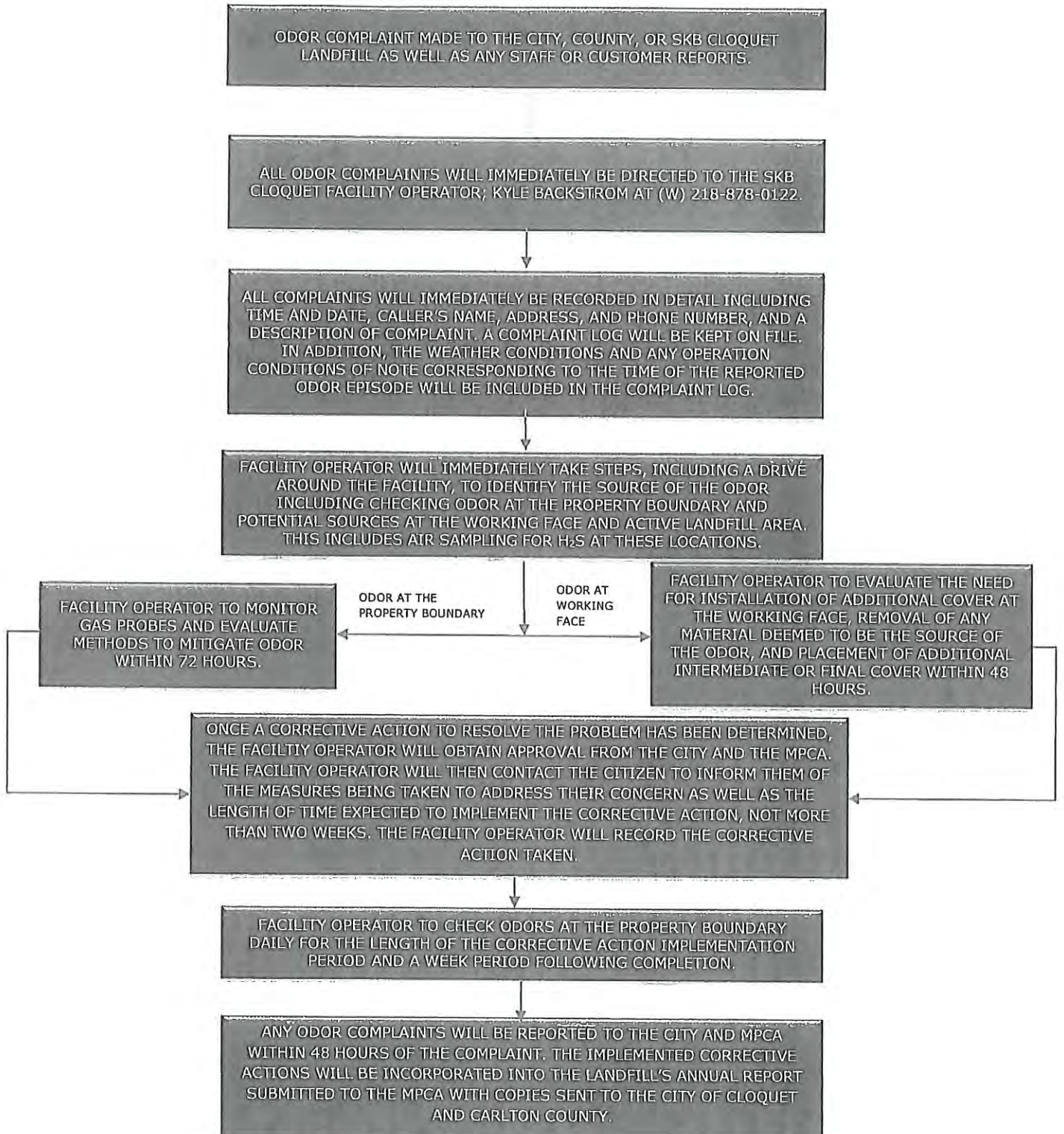
Landfill Gas Buildup Inside Confined Spaces or Gas Monitoring
Probe Exceedances of LEL

Odor Control

**CONTINGENCY FLOW CHART
FOR LANDFILL GAS BUILD UP INSIDE CONFINED SPACES OR
GAS MONITORING PROBE EXCEEDANCES OF LEL
SKB CLOQUET INDUSTRIAL LANDFILL**



ODOR CONTROL CONTINGENCY FLOW CHART SKB CLOQUET INDUSTRIAL LANDFILL



SKB Environmental Cloquet Landfill Gas Management and Monitoring Plan

MPCA Permit #SW-399

Prepared for:

SKB Environmental Cloquet
Landfill, Inc.
f/n/a Shamrock Landfill, Inc.

251 Starkey Street
St. Paul, Minnesota
55107



Responsive partner.
Exceptional outcomes.

Prepared by:

WENCK Associates, Inc.
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Maple Plain, MN 55359
Phone: 763-479-4200
Fax: 763-479-4242

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1.0 Introduction

1.1 PURPOSE

The SKB Environmental Cloquet Landfill (SKB Cloquet Landfill) is an industrial waste landfill, located in Cloquet, Minnesota, which has been in operation since 1989 under Minnesota Pollution Control Agency (MPCA) Solid Waste Permit SW-399. An Aerial Site Location Map is provided as Figure 1. The landfill is owned and operated by SKB Environmental Cloquet Landfill, Inc. f/n/a Shamrock Landfill Inc. (SKB Cloquet), who is responsible for all operations at the landfill. The purpose of this report is to provide a Gas Management and Monitoring Plan for the SKB Cloquet Landfill, in accordance with Minnesota Solid Waste Rule 7035.2815, Subp. 11, items A through G. This plan was originally submitted in August 2012 and has been revised to reflect recent comments received from the City of Cloquet.

The Gas Management and Monitoring Plan provided within was requested by the MPCA to be part of a permit modification request by SKB Cloquet in order to allow the acceptance of paper mill sludge at more than 20% of the total annual volume of the landfill. Existing Permit SW-399 currently restricts the amount of paper sludge accepted at the landfill to a maximum of 20% of the total annual volume.

1.2 BACKGROUND

The methane component of landfill (LFG) is combustible in the concentration range of 5 to 15 percent by volume in air. Five percent is considered the lower explosive limit or LEL and 15 percent is considered the upper explosive limit or UEL. Consequently, migration and concentration of methane into enclosed spaces could result in an explosive atmosphere. Therefore, Minnesota Rule 7035.2815 Subp. 11 requires that the concentration of any explosive gas not exceed the LEL at the property boundary or 25 percent of the LEL in or around facility structures.

If allowed to accept paper mill sludge at more than 20% of the landfill's total permitted volume, SKB Cloquet will employ a comprehensive monitoring program for early detection of landfill gas (LFG) in on-site structures and at the property boundary. Minnesota Rule 7035.2815 Subp. 11 also requires that occupied buildings and structures located at the facility be continuously monitored using electronic monitoring devices. These devices allow for detection of concentrations of LFG well below the concentrations at which the gas reaches an explosive range. Landfill gas migration from landfills is typically monitored with landfill gas monitoring probes around the perimeter of the facility. SKB Cloquet will evaluate the need to install passive vertical gas vents or an active gas collection system should compliance with the LEL concentrations become an issue.

2.0 Gas Monitoring and Gas System Design

2.1 METHANE MONITORING PROBES

Based on the geographic nature and hydrogeologic conditions at the site, it was determined that there are no confining soils between the ground surface and the water table to act as a confining layer for any migratory gas in the surrounding area. More specifically, previous hydrogeologic investigations indicate that the site is located in a glacial fluvial outwash deposit consisting of sand and gravel. Bedrock underlays the outwash deposit and there are exposed bedrock outcroppings to the east and northeast of the landfill. Previous investigations indicate a depth to bedrock of approximately 7 feet on the east end of the site near piezometer 2 to approximately 34 feet near piezometer 5. Therefore monitoring probes will be placed at approximate known depths of the static water table and bedrock as provided in Table 1.

A total of six (6) gas probes are proposed to be installed as shown and noted on Figure 2, and construction details provided on Figure 3. It should be noted that future gas probe locations, as the landfill cells are constructed to the east, are also shown on Figure 2. In general, the gas probes will be shallower installations due to the minimal depth to groundwater, particularly in the southwest corner of the landfill. In general, the probes have been located around the perimeter of the landfill approximately 5 to 10 feet inside the property boundary. It is important to note that the closest potential receptors are located over 1,500 feet from the southwest corner of the landfill. The site is bordered by Interstate Highway 35 to the north and undeveloped property to the east and south to southeast.

2.2 VERTICAL GAS VENTS

Upon final closure of cell disposal areas at SKB Cloquet Landfill, the installation of passive vertical gas vents will be evaluated based on results obtained from the methane monitoring probes. The exact number and placement of the gas vents would be designed to encourage vertical gas migration by releasing gas pressure in the fill area to prevent damage to the engineered cover system. At the time of final closure construction activities, the number and placement of the vertical gas vents, if required, would be proposed as part of submittal of the closure construction plans and specifications to the MPCA for review approved as required by the landfill's permit. In general, the vertical gas vents will penetrate the waste to approximately 15 feet from the bottom of the landfill (base liner) and be constructed with 36-inch diameter borings and perforated 6-inch diameter vent pipes. The borings will be filled with coarse aggregate over the length of the perforated vent pipe and will be sealed with bentonite or grout at both ends. The 6-inch vent pipe will extend through the final cover system approximately five (5) feet above the surface of the landfill. See Figure 3 for proposed details.

3.0 Gas Monitoring Plan

3.1 GENERAL

The methane monitoring plan is intended to satisfy the permit requirements by establishing a comprehensive plan for developing a combustible gas monitoring system, which will indicate conditions at, and immediately surrounding, the landfill site.

Methane is lighter than air and tends to rise through refuse or soil and vent to the atmosphere. However, when combined with carbon dioxide, methane can migrate laterally. Methane will not breach the soil below the water table unless under pressure. As landfill area is covered with impermeable final cover, the potential for lateral gas migration away from the landfill is increased.

3.2 MONITORING APPROACH

As indicated above, the approach to methane monitoring at SKB Cloquet Landfill will be one of progression. Steps taken during development will be a continuous process that provides sufficient coverage with respect to health and welfare to the public, site operators, and landfill site neighbors.

3.3 MONITORING METHODS AND FREQUENCY

Monitoring will be performed monthly by SKB Cloquet using a portable methane gas meter capable of reading less than 25 percent of the LEL of the Landfill Gas (LFG). Monthly recordings will include methane concentrations, barometric pressure, weather conditions, date, time, and name of technician performing the monitoring. Submittal of the monthly recordings will be to the SKB Cloquet environmental manager on a monthly basis for inclusion in the landfill's Annual Report. See Appendix A for example recording log.

3.3.1 GAS PROBES

SKB Cloquet personnel will sample all gas probes on a monthly basis. Gas probe monitoring will be conducted through the use of hand held monitoring instruments, which is calibrated prior to use.

It is also important to note that during site inspections, SKB Cloquet will also be looking for signs of gas migration such as: vegetative stress, odors, bare ground, and melting snow.

3.3.2 SITE STRUCTURES

SKB Cloquet personnel on a monthly basis will monitor all occupied on-site structures. A general airspace survey will be conducted through the use of a hand held monitoring instrument. Additional monitoring will be conducted at spot locations, such as cracks in the floor and isolated corners.

If methane concentrations are detected above 25 percent of the LEL (1.25% Methane) in any on-site structure, appropriate contingency and response actions will be taken as outlined below.

Confined Spaces

A hand held instrument and personnel protective meters will be used to monitoring permitted confined spaces prior to entry and while in the permitted confined space. Data collected from the confined spaces will be recorded as necessary on the confined space entry permit as applicable per SKB Cloquet's confined space program. The facility's confined space program is included as part of SKB Cloquet's overall health and safety program.

On-Site Structures

One (1) continuous gas monitor will be installed at the scalehouse trailer on-site as located on Figure 2, to monitor methane concentrations within this structure at the landfill. It should be noted that this structure does not sit on a foundation; the trailer is positioned on concrete blocks. The monitor will be checked recorded monthly by SKB Cloquet staff and the readings will be recorded on a log sheet, provided in Appendix A.

The continuous monitors are fixed-point monitors designed to provide continuous monitoring of hazardous gases (i.e., methane). The monitored values will be displayed on a digital readout or staff will be alerted by an alarm. All Staff stationed at the SKB Cloquet Landfill will be trained in the operation and recording of the Continuous Monitors. An operation and maintenance manual for the meter must be kept on-site and provide the following information:

- ▲ Safety information
- ▲ Installation and start-up procedures
- ▲ Calibration procedures
- ▲ Alarm operations

The monitors will be calibrated per manufacture recommendations. If methane is detected above acceptable limits (25 percent of LEL) at any of these points, the facility shall be evacuated and ventilated and the source of gas investigated. The Landfill Manager should be notified immediately.

3.4 CONTINGENCY ACTION PLAN

Minnesota Solid Waste Rules Section 7035.2815, Subpart 11 requires that the concentration of any explosive gas (consisting primarily of methane at landfill sites) not exceed its lower explosive limit (LEL) at the property boundary nor 25 percent of the LEL in and around all facility structures, or any other on-site monitoring point.

In the event of an exceedence in the concentration of explosive gas at facility monitoring points, the following responses will be taken:

- ▲ If immediately threatening to human health, take immediate remedial action, including building evacuations, and/or access controls, until remedial measures are evaluated and implemented.
 - Notify the MPCA
- ▲ If not immediately threatening to human health, (i.e. monitoring probes) resample monitoring points to confirm exceedence.

- ▲ If exceedence is confirmed, notify the MPCA and any potentially affected property owners.
 - Within 180 days, submit to the MPCA a response action plan or demonstrate that the methane levels at the monitoring location have decreased to below the required level.
 - Remedial actions may include:
 - Implementation of a passive gas venting system
 - Implementation of an active gas extraction system
 - Increase in the frequency of monitoring
 - Installation of continuous monitoring systems and/or modified ventilation systems in structures.

3.5 GAS MONITORING SYSTEM MAINTENANCE

The condition of the landfill gas management and monitoring system will be monitored during the scheduled site inspections by the site. Repairs to the probes will be made on an as-needed basis.

3.6 REPORTING

Information regarding landfill gas monitoring shall be reported to the MPCA in regular annual reports. If hazardous conditions and/or the potential for hazardous conditions are realized at or near the landfill site, the MPCA will be notified of the situation within 24 hours. The MPCA must be notified within 24 hours of discovery of a noncompliance which could endanger human health, public drinking water supplies, or the environment.

Tables

1. Proposed Gas Monitoring Probe Construction Information

Table 1

General Construction Information for Proposed Gas Monitoring Probes
 SKB Environmental Landfill
 Cloquet, MN




ID	Existing Ground Surface (Ft. – NGVD)	Approximate Water Table Elevations (Ft. – NGVD)	Depth of Probe from Ground Surface (Ft.)	Proposed Screen Length (Ft.)	Thickness of Surface Seal (Ft.)
GP-1	1150	1140	10	6	3
GP-2	1162	1138	24	20	3
GP-3	1160	1141	19	15	3
GP-4	1147	1139	8	4	3
GP-5	1160	1142	18	14	3
GP-6	1171	1148	23	19	3

Note: Gas monitoring probes to extend (stick-up) a minimum of 4-feet above ground surface.

Figures

- 2 Proposed Gas Monitoring Locations
- 3 Proposed Gas Monitoring Construction Details

Legend

-  Waste Fill Limits
-  Township/Municipal Boundary
-  Site Boundary



SKB ENVIRONMENTAL CLOQUET LANDFILL

Site Location Map

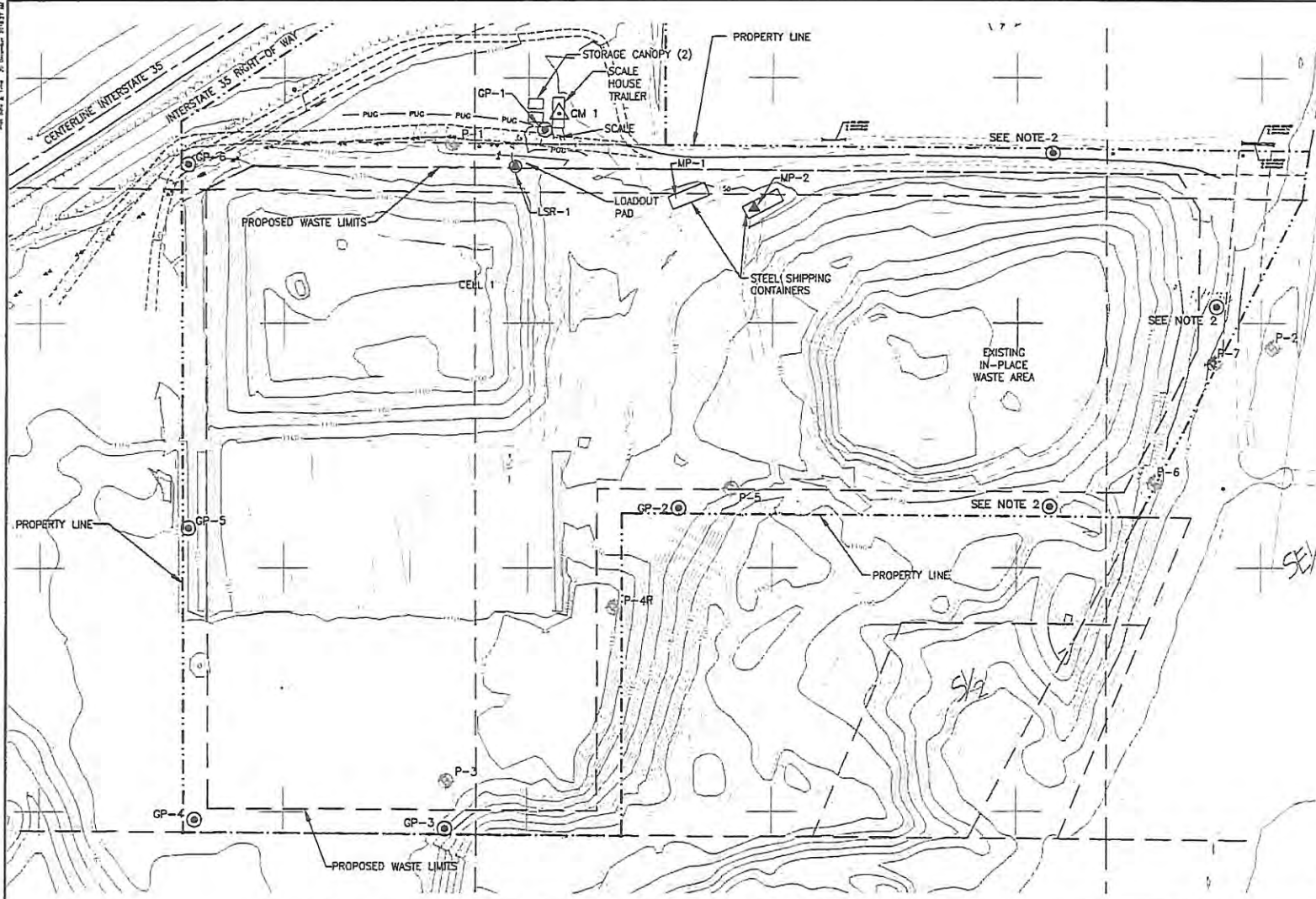


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OCT 2016

Figure 1

Date: 10/11/16, 10:28 AM, 10/11/16, 10:28 AM



150
300
GRAPHIC SCALE IN FEET

LEGEND

- EXISTING CONTOURS
- EXISTING ROAD
- EXISTING MONITORING WELL
- GP-1 PROPOSED GAS MONITORING PROBE LOCATION
- CM-1 PROPOSED CONTINUOUS MONITORING LOCATION
- MP-1 PROPOSED MONTHLY MONITORING POINTS
- LSR-1 LEACHATE SLUMP RISER
- PROPERTY LINE/ COMPLIANCE BOUNDARY
- PROPOSED WASTE LIMITS

NOTE

1. TOPOGRAPHY UPDATED APRIL 2015.
2. PROPOSED LOCATION OF FUTURE GAS PROBES AS CELL DEVELOPMENT EXPANDS TO THE EAST.

REV	REVISION DESCRIPTION	DATE	APP	REV DATE
A	ISSUED FOR AGENCY REVIEW	JWB	TJS	10/11/16

SEAL

SUB CONSULTANT

PRINCIPAL CONSULTANT

WENCK
ASSOCIATES

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1000 PIONEER CREEK CENTER
WAPLE PLANK, MI 48359

763-479-4200
763-479-4242

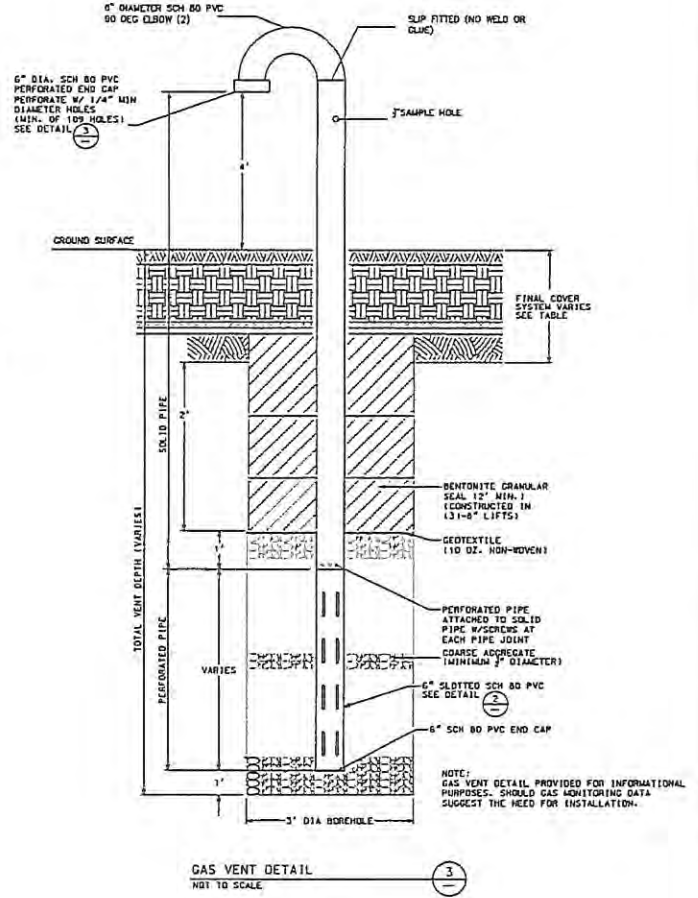
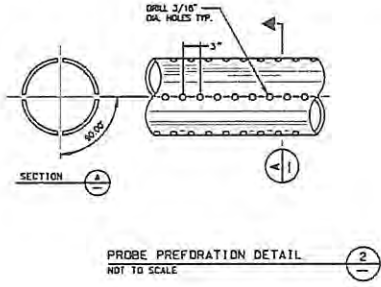
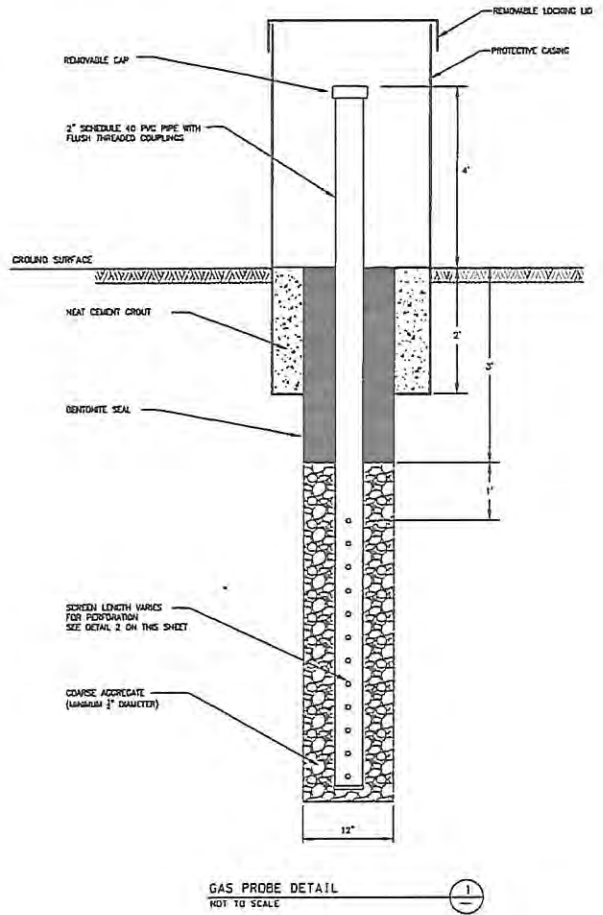
PROJECT TITLE
SKB ENVIRONMENTAL LANDFILL CLOSURE
GAS MANAGEMENT AND MONITORING PLAN

SKB ENVIRONMENTAL, INC.

SHEET TITLE			
PROPOSED GAS MONITORING LOCATIONS			
DRW BY	CHK'D	APP'D	DATE
JWB	SH	TJS	OCTOBER 2016
PROJECT NO.		SCALE	
3053-0080		AS SHOWN	
SHEET NO.		REV NO.	
FIGURE 2		A	

10/11/16, 10:28 AM, 10/11/16, 10:28 AM

Part 05050 - Earth Retention - 01 September 2016 11:03 AM



REV	REVISION DESCRIPTION	DATE	APP	REV DATE
A	ISSUED FOR AGENCY REVIEW	JVD	LJS	10/11/16

SCALE: _____
 S&W CONSULTANT: _____
 PROJECT CONSULTANT: _____

WENCK
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 1000 PIONEER CREEK CENTER 763-479-4200
 MAPLE PLANE, MN 55329 763-479-4242

PROJECT FILE:
 SKB ENVIRONMENTAL LANDFILL CLOSURE
 GAS MANAGEMENT AND MONITORING PLAN
 SKB ENVIRONMENTAL, INC.

GAS PROBE DETAILS			
DATE BY	CHK'D	APP'D	DATE
JVD	SH	TJS	OCTOBER 2016
PROJECT NO.	SHEET NO.	SCALE	AS SHOWN
3053-0037	FIGURE 3		A

3/15/2016 10:45:11 AM

Appendix A

Gas Probe, Continuous Gas Monitor, and Monthly Monitoring Point
Log Sheets

SKB Environmental
Cloquet Landfill Gas Probe Log

Monitor	Date	Hydrogen Sulfide	Methane	Carbon Dioxide	Oxygen	Temp.	Static	Differential	Barometric	Notes
GP-1										
GP-2										
GP-3										
GP-4										
GP-5										
GP-6										



Monthly Monitoring Point Reading Log

Monitoring Point	Date	Hydrogen Sulfide	Methane	Carbon Dioxide	Oxygen	Temp.	Static	Differential	Barometric	Initials	Comments
MP-1	January										
MP-2											
LSR-1											
MP-1	February										
MP-2											
LSR-1											
MP-1	March										
MP-2											
LSR-1											
MP-1	April										
MP-2											
LSR-1											
MP-1	May										
MP-2											
LSR-1											
MP-1	June										
MP-2											
LSR-1											
MP-1	July										
MP-2											
MP-1	August										
MP-2											
LSR-1											
MP-1	September										
MP-2											
LSR-1											
MP-1	October										
MP-2											
LSR-1											
MP-1	November										
MP-2											
LSR-1											
MP-1	December										
MP-2											
LSR-1											

*Leachate Sump Riser (LSR_1), MP-1 and MP-2 located on-site as shown in Figure 2.



**SKB Environmental Industrial
Waste Landfill (SW-399)
Proposed Conditional Use
Permit (CUP) Changes**

City of Cloquet

Fred Doran, PE
October 3, 2017

BURNS MEDONNELL
Presentation Prepared with Data Received from SKB Shamrock Landfill

Presentation Outline

- Shamrock Landfill Design
- LFG Management and Monitoring
- Proposed CUP Changes
- Odor Management
- Waste Acceptance Practices
- Noise Concerns
- Financial Assurance
- End Use

Shamrock Landfill Site Plan

(Source: Oct 2016 Wenck Gas Management and Monitoring Plan)



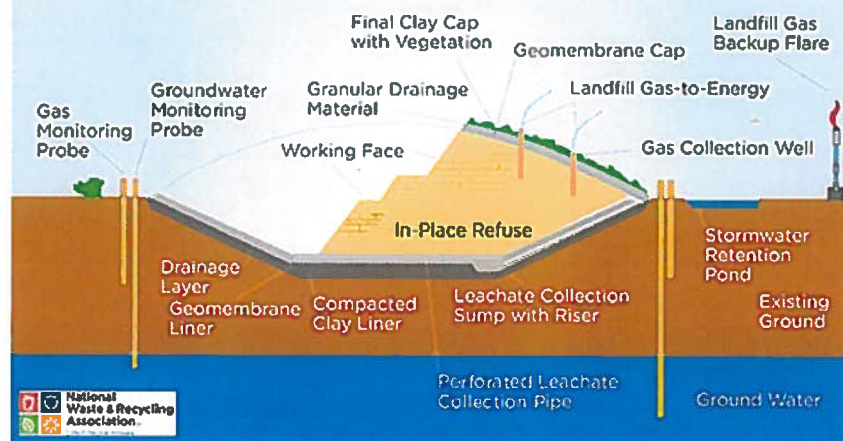
Types of Permitted Landfills by MPCA but No Longer Allowed in Cloquet

- ▶ Industrial Solid Waste Landfill
 - Captive, or monofill: waste from specific corporation(s)
 - May be lined or unlined
 - **Merchant: open to many industries**
 - Liner likely required
- ▶ Demolition Debris Landfill
 - Class 1: strict waste list, unlined
 - Class 2: waste list + packaging + limited demo-like industrial waste; liner evaluation required
 - Class 3: more diverse waste list; liner evaluation required
- ▶ Municipal Solid Waste (MSW) Landfill
- ▶ MSW Combustor Ash Landfill

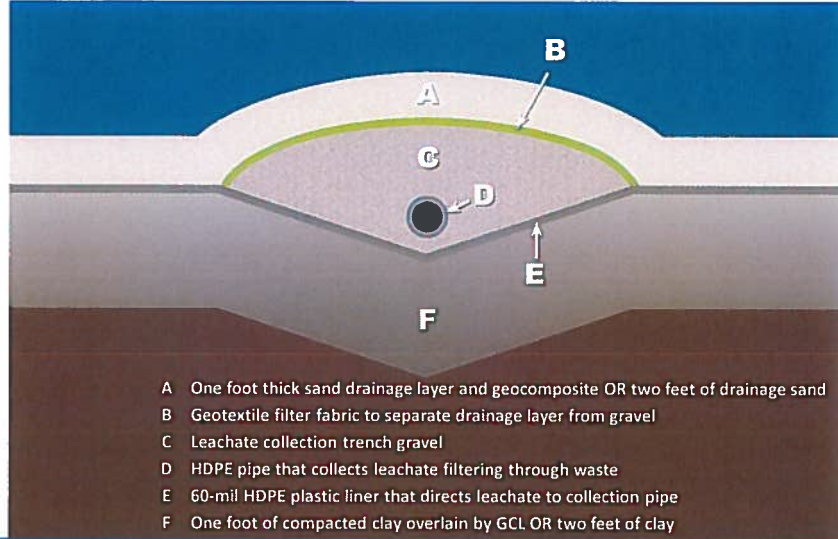
Merchant Industrial Landfills

- May be open to public
- Likely lined landfills with leachate collection (liner design varies)
- Broad non-hazardous waste list (subject to MN/County permits)
- Waste acceptance:
 - Industrial Solid Waste Management Plan
 - Construction-Demolition Debris
 - >50% Industrial Waste
- Groundwater monitoring required
- Landfill gas monitoring and control as needed
- Financial assurance required by permit

Typical Modern Landfill Cross Section



Composite Liner and Leachate System



- A One foot thick sand drainage layer and geocomposite OR two feet of drainage sand
- B Geotextile filter fabric to separate drainage layer from gravel
- C Leachate collection trench gravel
- D HDPE pipe that collects leachate filtering through waste
- E 60-mil HDPE plastic liner that directs leachate to collection pipe
- F One foot of compacted clay overlain by GCL OR two feet of clay

Environmental Monitoring



- Groundwater Monitoring Well



- Leachate Side-Slope Riser

Paper Sludge Acceptance at MN Landfills

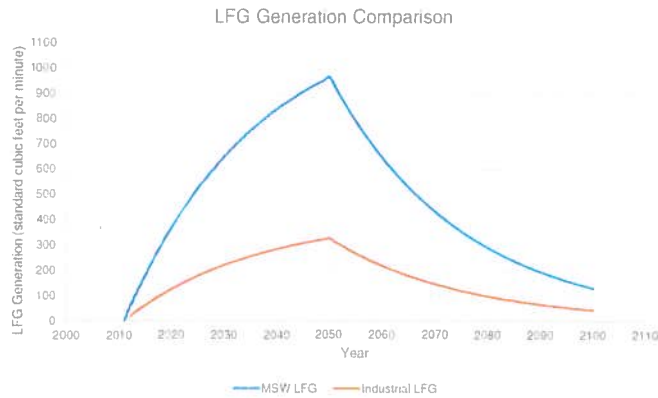
- ▶ Paper Sludge Landfills
 - Four paper sludge landfills in MN (owned by paper mills)
 - 3 of the 4 have passive gas management systems
 - MPCA states no odor complaints at these facilities
 - Paper sludge landfills generate less gas than MSW landfills
- ▶ Merchant Industrial Landfills
 - Moisture from paper sludge can accelerate breakdown of other waste within industrial landfills (i.e., sheetrock)
 - Have had odor complaints
 - Odors generally caused from other waste breakdown
 - Gas control typical

Landfill Gas Characteristics

- ▶ Landfill Gas composition:
 - 45-60% methane
 - 40-60% carbon dioxide
 - Trace amounts of nitrogen, oxygen, ammonia, sulfides, hydrogen, carbon monoxide and nonmethane organic compounds (NMOCs)
- ▶ Hydrogen sulfide concentrations can vary; typically more with construction and demolition (C&D) landfills (drywall)
 - 2016 monitoring at Shamrock leachate cleanouts indicated one detection of H₂S at 28 ppm in the NW cleanout; remainder of monitoring was no detections of H₂S
- ▶ Hydrogen sulfide:
 - Smell detected 0.01-1.5 ppm (OSHA)

Landfill Gas Production Comparison: MSW Landfill vs. Industrial Landfill

- Gas production for industrial landfill significantly less than MSW landfill



Shamrock Landfill Paper Sludge Acceptance – MPCA Initial Discussions

- MPCA has not reviewed the application request
- No regulation limiting paper sludge acceptance rates
- Desire to have gas vents installed with increased paper sludge acceptance
 - Currently limited to 20% annual cap (by volume) of paper sludge waste



Shamrock Landfill Proposed LFG Management Plan

- Install and monitor gas monitoring probes
- Evaluate the need for installation of vertical gas vents at phased closure (or sooner if required per LFG Exceedance Contingency Flow Chart)
 - Based on results from monitoring probes
- Incorporate Contingency Action Flow Charts for:
 - Landfill Gas (LFG) Exceedances
 - Odor Control

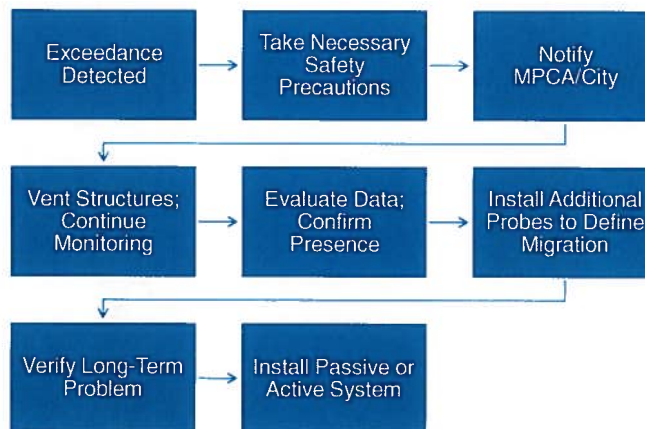
Shamrock Landfill Proposed LFG Monitoring Plan

- Continuous monitoring (methane) in Office Trailer
- Monthly monitoring (hydrogen sulfide, methane, carbon dioxide, and oxygen):
 - Leachate Sump Riser Pipe(s)
 - Gas Monitoring Probes
 - On-site Shipping Containers
- Exceedances reported to MPCA/City within 24 hours
 - >25% lower explosive limit (LEL)
- All monitoring summarized in Facility Annual Report
 - Submitted to City and MPCA by Jan 31st of each year summarizing the preceding year

2016 Shamrock Leachate Cleanout Monitoring Results

Sample Date	Monitoring Point	%CH4	%O2	H2S ppm	CO ppm
2/10/2016	NE 1	0.0	20.9	0	0
2/10/2016	NE 2	0.0	20.9	0	0
2/10/2016	NW	65.1	0.0	28	7
2/10/2016	W	0.0	20.9	0	0
2/10/2016	SW	0.0	20.9	0	0
2/10/2016	SE	1.9	20.9	0	0
4/20/2016	NE 1	0.0	20.9	0	0
4/20/2016	NE 2	0.0	20.8	0	0
4/20/2016	NW	47.8	0.0	0	0
4/20/2016	W	4.2	19.4	0	0
4/20/2016	SW	12.6	6.7	0	0
4/20/2016	SE	40.1	1.1	0	0
7/21/2016	NE 1	1.3	20.5	0	0
7/21/2016	NE 2	1.7	20.0	0	0
7/21/2016	NW	71.6	0.0	0	0
7/21/2016	W	67.2	0.1	0	0
7/21/2016	SW	65.5	0.0	0	0
7/21/2016	SE	45.3	0.0	0	0
10/18/2016	NE 1	0.4	20.5	0	0
10/18/2016	NE 2	0.1	20.6	0	0
10/18/2016	NW	71.3	0.0	0	0
10/18/2016	W	65.9	0.0	0	0
10/18/2016	SW	64.0	0.0	0	0
10/18/2016	SE	54.3	0.0	0	0

Landfill Gas Exceedance Contingency Flow Chart Summary

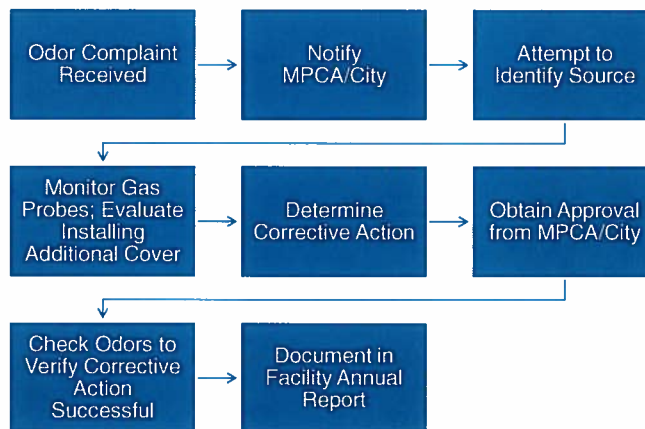


Shamrock Landfill Odor Control

- Recent odor complaints on record
- Odor complaints reported to City/MPCA within 48 hours per Odor Control Contingency Flow Chart



Odor Control Contingency Flow Chart Summary



Existing Shamrock Landfill Conditional Use Permit (CUP)

- CUP limit on paper sludge waste acceptance in Resolution 11-11
 - Resolution 11-11, Item #6: "...the applicant has agreed to limit their intake of such waste, held to no more than 20% of overall receipts, and to conduct quarterly landfill gas monitoring for methane and hydrogen sulfide in leachate collection cleanouts."
 - This limitation was based on the Landfill not having a gas collection system.

Shamrock Landfill Proposed Conditional Use Permit (CUP) Changes

- Recommended changes to CUP:
 - **Paper Sludge and Waste Water Sludge:** Paper Sludge and Waste Water Sludge, whether or not it is accepted as alternate cover per the Industrial Solid Waste Management Plan for the Landfill, shall be thin spread and/or mixed with other was as soon as practical, avoiding bulk disposal of this waste type. The total volume of paper sludge accepted in the Landfill, including any paper sludge used as alternate cover, shall not be limited. However, The Owner/Operator shall implement the landfill gas and odor management plan as approved by the MPCA and install passive gas well vents during phase closures in order to quickly react to nuisance conditions to adjacent property. The Landfill shall submit the passive gas well vent installation plan for approval by the City and MPCA.

Shamrock Landfill Proposed Conditional Use Permit (CUP) Changes

- Landfill hours amended to 7AM – 7PM, seven (7) days a week
 - Heavy equipment not used between 7PM – 7AM or on Sundays
- Allow acceptance of Verso paper sludge on a 24 hour basis

Shamrock Landfill Paper Sludge Acceptance (per Industrial Solid Waste Management Plan)

- Paper sludge testing for disposal
 - Paint filter
 - Toxicity Characteristic Leaching Procedure (TCLP) Metals
- Testing for Alternative Cover (per Industrial Soil Reference Values (SRVs))
 - TCLP Metals, Volatile Organic Compounds (VOCs), Semi Volatile Organic Compounds (SVOCs), pesticides/herbicides, other (polychlorinated biphenyls (PCBs), pH, Gasoline Range Organics/Diesel Range Organics (GRO/DRO), flashpoint)
- Four year sampling frequency unless significant changes in manufacturing or waste composition have occurred
- Recent results indicate material is suitable for alternative cover (i.e., waste is non-hazardous and is below SRVs)

Shamrock Landfill Paper Sludge Management Practices

- Paper sludge currently thin spread with other waste; no bulk disposal
- Paper sludge as Alternate Cover stockpiled and thin spread on waste surface
- With increased acceptance, excess material will be thin spread, mixed with other incoming waste streams, and compacted



Shamrock Landfill Paper Sludge Management Practices



Shamrock Landfill Paper Sludge Management Practices



Paper Sludge at Canyon Waste Management



Paper Sludge at Canyon Waste Management



Shamrock Landfill Extended Hours Noise Concerns

- ▶ Initial Shamrock Landfill Noise Study (July 2012)
 - Completed between Sunday at 8PM to Monday at 3PM (overnight)
 - Landfill equipment trials operated throughout the night
 - Compactor, dozer, truck with backup alarm, truck without backup alarm
 - Noise exceedances observed attributed to trains and an SUV driving through the neighborhood
 - Thresholds would not be exceeded with nighttime operations even with future expansion



Shamrock Landfill Extended Hours Noise Concerns

- Secondary Shamrock Landfill Noise Study (June 2015)

- Conducted during daytime operations
- Modeling conducted concluded that during active operations State Standard Noise Levels achieved at 390-650 feet from operations (Worst-Case Scenario)
- Nearest residence is approximately 2500 feet from operations
- Noise observed in residential area from highway noise, wind-related noise, noise from wildlife (birds) and human activities
- Faint backup beeper occasionally audible during monitoring (R1)
- Traffic noise from I-35 dominant



Shamrock Landfill Extended Hours Noise Concerns

- Trial extended hours winter months 2014-2015
 - Monday through Saturday 7AM – 5PM; Sunday Noon – 4 PM
- No noise complaints on record

Shamrock Landfill Financial Assurance/Contingency Action Fund

- ▶ Current financial assurance addresses Closure, Post-Closure (PC) and Contingency Actions (CA)
 - \$2,287,671 current value for Closure, PC, CA
 - Current Contingency Actions:
 - ▶ Leachate Spill; Erosion/Embankment Repair; Cover Damage; Grass Fire/Revegetation; Leachate Collection System Repair; Waste Excavation and Relocation; Groundwater Contamination Analysis; Groundwater Containment/Extraction System; Groundwater Treatment; Groundwater Extraction/Containment Operating Costs; Assessment Monitoring
- ▶ Financial Assurance mechanism
 - Standby Trust and Surety Bonds guaranteeing payment
- ▶ Recommend adding contingency costs for landfill gas exceedances and odor control to MPCA permit

Shamrock Landfill Post-Closure Use

- ▶ Landfill life capacity expected to expire 2048 with revised incoming tonnages
- ▶ Per CUP, 5 years prior to closure (approx. 2043) an End Use Plan shall be agreed upon between the City/Owner
- ▶ Other closed landfills with LFG control have been used for:
 - Green Space
 - Energy Recovery
 - Parks/Trails
 - Golf Courses
 - Wildlife Habitats
 - Remote Control (RC) Model Aircraft Field

Landfill End Use



Questions?

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Mobile: 952.290.6334

Al Cottingham

From: mckean@mchsi.com
Sent: Friday, January 13, 2017 11:49 AM
To: Jeff Rock
Cc: Brian Fritsinger; David Hallback; Al Cottingham
Subject: Msg to Cloquet City Council, ref; SKB C.U.P. approval recommendation by the Planning Commission

To; Dave Hallback, Brian Fritsinger, Jeff Rock, Al Cottingham

Although there was not a large attendance by local residents and community members at the Planning Commission public hearing on December 13th, please remember that the Hill Top community and surrounding residents have been apposed to not only the landfill in general, but particularly to expansion of operating hours or days of operation. The lack of attendance by community members to these continuing meetings every year is reflective of their frustration with the constant need to debate and discuss the need to preserve the quality life in the Hill Side neighborhood and protections for the community, and put that need ahead of the wants of the Landfill group.

I do not believe the Planning Commission took any of our concerns into their decision to recommend approval of the SKB request to modify the C.U.P and now it is up to the City Counsel members to evaluate the true "need" to modify the C.U.P. vs. the "want" to modify it (by Shamrock/SKB) as well as the short and long term effect on not only the immediate neighborhood but the entire City and reputation of the City.

SKB purchased the landfill operation knowing that it had certain stipulations in the C.U.P. to minimize the impact of the operation and provide protections for the nearby neighbors, sports facilities, community college and the City. These stipulations were negotiated between Community members, City administration and Shamrock/Dem Con in 2010, and finalized in 2011, which all parties (including Shamrock) said was acceptable to fit into the community and meet the Landfill's need to compete in their business. Again, they (SKB/Shamrock) want to make changes because they took on a contract with Verso that they couldn't fulfill and now want to modify the C.U.P so they can be more profitable. The issue of expanded hours and days (24/7) of operation was requested and denied in 2013/2014 due to the impact on the neighborhood quality of life.

Expanding the hours and days of operation will (again) have a negative impact on the quality of life to the adjoining landowners/residents, if for no other reason than the noise of equipment and operations that will be the sole source of noise in the evening, when all else in the neighborhood is quite.

Add to this the inclusion of "double" the amount of sludge being added (which SKB said would be added to the same working face that they currently work each day, just a thicker layer), knowingly and admitting that it will decompose resulting in emission of methane gas and hydrogen sulfur, that will require monitoring, venting and a remedial plan to address periods that the gas limits exceed MPCA / City standards, makes this C.U.P. revision a very poor fit for it's location.

This is not simply a Hill Top issue since the gases from this site will be spread throughout the city and neighboring community, based on prevailing East and South West winds in the spring and summer and North, North East and North West winds in the fall and winter. Affected most by this will be local residents, the Community College and athletes using the adjoining sports facilities.

I've been a member of this community for over 50 years and vividly recall the sulfur / rotten egg smell and other wood processing odors that surrounding communities, and tourists passing through, identified as "Cloquet". This is not a past we should ever want to return to.

Please keep in mind that once the landfill is capped, Shamrock said they would turn it over to the city to be used as a Park, Golf course, Sports facility, etc. How is that even possible with gas being vented out of the ground, even if SKB says they can camouflage the vents and direct the flames away from any planned activities.

Since there is no other public hearings scheduled to provide feedback or comments to the City Council, I would appreciate it if you would forward a copy of this message to City Council members and ask them to review these points of interest and opposition prior to or at the next January 17th meeting.

Thank you in advance;

Frank J. McKean
1411 Janis Rd.
Cloquet, MN 55720

Al Cottingham

From: David Chmielewski <dave@blackhoof.com>
Sent: Friday, January 13, 2017 1:36 PM
To: Al Cottingham
Subject: SKB LANDFILL

Al,

I have been in contact with Kyle Backstrom from SKB. I understand that they want increased work hours and the ability to take more wood waste from the mills.

I wanted to tell you that to date, we have not smelled or heard the landfill operate. We don't even know it is there much of the time. Most of the noise and air pollution appears to come from Ulland's gravel operations, especially when they run the asphalt plant.

Just wanted to pass that along. While I would feel better about our assets if they were adjacent to no industrial activities, that is not reality. As long as SKB continues to be a good neighbor, I support their enterprise and the jobs and tax revenue that comes with it. If we do not smell methane from the old landfills by the mill, chances are we will not smell it coming from SKB. Increased hours and being able to take a variety of material is flexibility needed to survive in business.

Sincerely,

Dave Chmielewski



Regular Meeting of the Planning Commission

Tuesday, December 13, 2016

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

CALL TO ORDER

Chairperson Wilkinson called the meeting to order at 7:00 p.m.

ROLL CALL

Attending: Planning Commission members: Chuck Buscher, Michael Haubner, Bryan Bosto, Kelly Johnson and Uriah Wilkinson; City: Al Cottingham.

Absent: Commission members: Jesse Berglund and John Sanders.

Others Present: Ryan O’Gara, Karla Southworth, Arnela Southworth, Dick and Nancy Stevens, Ron Funes, Frank McKean, Jay Cameron, Barb Wyman, Roy and Linda Ober, Bob DeCaigny. John Badger, Clarence Badger and Keith Matzdorf.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

November 9, 2016 Meeting Minutes

Chairperson Wilkinson asked for any corrections or additions.

Motion: Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from November 9, 2016, Commissioner Buscher seconded. (Motion was approved 5-0).

Zoning Case 16-21: Easement Vacation, ISD #94

Chairperson Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-21, Easement Vacation for ISD #94 (Cloquet School District). He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted this is a public hearing with a legal notice published in the Pine Journal on November 23, 2016 and affected property owners were sent notice of the meeting. ISD #94 is proposing to vacate a utility easement that is running through the middle of their property east of Arthur Street and south of Slate Street. They are proposing to relocate the utility at their expense in order to construct an addition onto Churchill School. A new easement would be created for the utility as it will run through the property. Mr. Jay Cameron is present representing ISD #94.

Chairman Wilkinson asked if anyone would like to address the Commission on this request.



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Jay Cameron, representing ISD # 94 noted that the existing storm sewer pipe needed to be relocated in order to constructed the Early Childhood Family Education addition onto the west side of Churchill School. A new easement would be created for the new line.

Chairman Wilkinson asked if anyone else wished to speak and since nobody wished to he closed the public hearing.

Motion: Commissioner Johnson made a motion to adopt Resolution No. 16-21, A Resolution Recommending Approval of the Vacation of the Utility Easement lying east of Arthur Street and south of Slate Street for ISD #94, Commissioner Haubner seconded. (Motion was approved 5-0).

Mr. Cottingham noted this request would be forwarded to the City Council for their meeting on December 20, 2016.

Zoning Case 16-20: Conditional Use Permit Amendment for SKB Environmental Cloquet Landfill, Inc.

Chairperson Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 16-20, Conditional Use Permit Amendment for SKB Environmental Cloquet Landfill, Inc. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham noted this is a public hearing with a legal notice published in the Pine Journal on December 1, 2016 and property owners within 1320 feet were sent notice of the meeting. SKB is proposing to amend their hours of operation to be open from 7:00 am to 7:00 pm seven days a week. They are also proposing to remove the 20% cap of the total volume of paper sludge waste and to allow the acceptance of this material on a 24 hour basis. The heavy equipment on site would not be used after 7:00 pm or on Sundays to help with possible noise issues. He referenced that there were representatives from SKB present along with Fred Doran, Burns and McDonnell the cities landfill consultant. He noted that he had received emails from Karla Southworth and Larry Anderson FDLTCC and a phone call from Joe Anderson all opposed to the request.

Chairman Wilkinson inquired as to the items of concern in the staff report regarding the Gas Management and Monitoring Plan.

Cottingham noted that he believed these things had been resolved since the writing of the report but deferred to Fred Doran since he was working with them on this.

Doran commented that he had been working with SKB on the plan and had just a few minor items that needed to be resolved.

Chairman Wilkinson inquired what if the gas levels exceeded the maximum levels.

Doran stated they are working out the details on a procedure to follow if this occurs.



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Commissioner Haubner stated he felt this procedure should be worked out prior to the Commission acting on the request. He would like to know what the procedure is.

Kyle Backstrom, SKB agreed with Commissioner Haubner and they are working with the consultant to put a contingency action plan together. He noted the expanded hours were being requested to accommodate other businesses that work into the evening and are looking for a place to dispose of their materials. The expanded hours are not for the general public but for contractors that would be working past 5:00 pm.

Karla Southworth, 1414 Lawrence Road stated she did not believe the 1320 foot distance for the property owner notice was a far enough distance. She noted that this did not reach any of the residents in the area. She did not like the proposed hours of operation in that a lot of trucks could be coming in at all hours hauling paper sludge.

Clarence Badger, 1518 Moorhead Road noted that this started as a small landfill for Ulland Brothers back in the 70's and look at where it is today. He noted if the paper sludge was kept at less than 20% then there really isn't an issue with methane gas but if it is more than 20% then there would be an issue with the gas. He wants the notification distance to be increased to 2,640 feet rather than 1,320 feet this way someone would actually be notified.

Frank McKean, 1411 Janis Road stated it was a couple of years ago on the same issue for hours of operation. He does not understand how you can use the land in the future if you have gas being produced on the site.

Bob DeCainy, 1419 Lawrence Road wondered who monitors the sludge that is coming in for chemicals. Who sets the limits on the gas levels? Who confirms that things are monitored and who is impacted on these things. He also did not believe the notification distance was far enough. He felt the vibration of the equipment being run was an issue.

Barb Wyman, 347 Nelson Road with a son residing at 1409 Lawrence Road noted she was on the City Council when this was approved in 2011. If this request goes through then you will smell the gas from the paper sludge. She felt that the city did not do diligence with the property notification for this. She was concerned with the potential of underground fires from the methane gas. She felt that nobody would spread out the waste to keep it in thin layers. It was not the cities problem if they were not making any money with the facility. She was concerned with the perceived notion that Cloquet is a bad place because of the landfill if the paper sludge limit is lifted.

This ended the public comments at this time.

Backstrom inquired how the Commission would like the issues and concerns addressed.



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Chairman Wilkinson stated he would lead the discussion with the questions and then the appropriate parties could respond. What discussions had been held with the Minnesota Pollution control Agency (MPCA).

Backstrom stated that they have been discussing the possible changes with them and would be following their requirements.

Chairman Wilkinson inquired who would be in charge of air monitoring and who establishes the limits.

Doran noted the MPCA establishes the limits on gas emissions.

Backstrom noted there would be no more surface exposure with the additional material than today since they use it as a cover material currently.

Commissioner Johnson inquired as to the likelihood of an explosion.

Backstrom noted the paper sludge would not just be stockpiled and buried but would be mixing it with other materials to avoid the possibility of an explosion.

Chairman Wilkinson inquired how they know what chemicals are in the materials being brought in.

Backstrom noted that loads are randomly tested to verify what materials are in them as required by the MPCA.

Chairman Wilkinson inquired who monitors the gas emissions.

Cottingham stated the City, County and the MPCA.

Commissioner Buscher stated if there was methane gas present then this should be in the country and not close to homes.

Backstrom noted this is not a MSW (municipal solid waste) landfill and this material does not generate a large volume of methane gas like an MSW.

Commissioner Johnson stated she was concerned with not having enough information as to how they would deal with all of the possible gas issues.

Karla Southworth stated she was concerned with this becoming an MSW.

Backstrom noted if they overcame the challenges of the hours and the waste this would meet their financial needs and would no longer be pursuing an MSW.



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Commission Haubner stated there is lots of talk on monitoring the gas but what happens if they need a solution.

Backstrom stated they are working on the flow chart on how to handle things depending on what it may be.

Commissioner Haubner felt this should be tabled until they can see a flow chart.

John Domke, SKB stated they had submitted a plan and the one thing that they needed to do was a flow chart to specifically show how they would handle a gas situation.

Bob DeCainy again stated his concern with the volume of materials and his concern with the frequency of sampling of the material.

Backstrom noted there were many landfills around the state and the U.S. with these materials and private firms test the materials and there has not been an issue.

Clarence Badger stated that the MPCA doesn't have the staff to monitor the site more than twice a year. He felt that the site should be monitored for at least a week at a time and not just a short site visit and review of the paperwork.

Frank McKean stated they knew what they bought and should stick to those requirements. The neighborhood shouldn't have to suffer because of this.

Karla Southworth agreed with Mr. McKean.

Chairman Wilkinson asked if anyone else wished to speak and since nobody wished to he closed the public hearing.

Commissioner Johnson felt there should be a clarification from the MPCA and how the gas would be handled.

Chairman Wilkinson was concerned with the odor and possible continuous odor and how it is handled.

Commissioner Johnson wondered how they would meet the standards and a plan to take care of things.

Motion: Commissioner Johnson made a motion to table the request to allow time for a flow chart to be prepared and to hear from the MPCA on any comments that they may have on this, Commissioner Haubner seconded. (Motion was approved 5-0).



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Chairman Wilkinson reminded the public that when this comes back to the Commission that the public hearing was closed and the discussion would be between them, staff and SKB. It is a public meeting so they are more than welcome to attend. They should keep in touch with Mr. Cottingham as to when this would be placed on the agenda.

Commissioner's Questions/Comment

Mr. Cottingham noted this was Mr. Buscher's last meeting with the Commission and thanked him for the time that he had served.

Next Meeting

January 10, 2017

Meeting adjourned 8:22 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Regular Meeting of the Planning Commission

Tuesday, January 10, 2017

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

CALL TO ORDER

Acting Chairperson Wilkinson called the meeting to order at 7:00 p.m.

ROLL CALL

Attending: Planning Commission members: Jesse Berglund (arrived 7:24), John Sanders, Bryan Bosto, Kelly Johnson and Uriah Wilkinson; City: Al Cottingham and Holly Hansen.

Absent: Commission members: None.

Others Present: Karla Southworth, Arnelda Southworth, Dick and Nancy Stevens, Barb Wyman, Steve Sather, John Badger, Clarence Badger, Kyle Backstrom, David Wiggins, Geoff Strack and Fred Doran.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Acting Chairperson Wilkinson requested nominations for a Chairperson, Uriah Wilkinson was nominated. There were no other nominations, Vote 4 – 0.

Chairperson Wilkinson requested nominations for a Vice Chairperson, Jesse Berglund was nominated. There were no other nominations, Vote 3 – 0 Commissioner Sanders voted present.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

December 13, 2016 Meeting Minutes

Chairperson Wilkinson asked for any corrections or additions.

Motion: Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from December 13, 2016, Commissioner Bosto seconded. (Motion was approved 4-0).

Zoning Case 16-20: Conditional Use Permit Amendment for SKB Environmental Cloquet Landfill, Inc.

Chairperson Wilkinson reminded the audience that this was not a public hearing since the public hearing was held on December 13, 2016 and closed at that meeting. There would be discussion between the Commission, staff and the developer for Zoning Case 16-20, Conditional Use Permit Amendment for SKB Environmental/Cloquet Landfill, Inc. He asked Mr. Cottingham to



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provide an overview of the topic. Mr. Cottingham noted SKB is proposing to amend their hours of operation to be open from 7:00 am to 7:00 pm seven days a week. They are also proposing to remove the 20% cap of the total volume of paper sludge waste and to allow the acceptance of this material on a 24 hour basis. The heavy equipment on site would not be used after 7:00 pm or on Sundays to help with possible noise issues. He referenced that there were representatives from SKB present along with Fred Doran, Burns and McDonnell the cities landfill consultant. He noted this was tabled at the last meeting with direction for more information on the methane gas and the MPCA review. He stated Mr. Doran had a presentation that he would go through and then open things up to questions.

Mr. Doran went through a power point presentation addressing concerns and questions that were raised at the previous meeting. He noted that the MPCA had not reviewed the application, they had no regulation limiting paper sludge acceptance rates. He noted that SKB was looking to install gas vents with the increase in paper sludge acceptance. He noted he is aware of two other paper sludge landfills that have passive gas vents like they SKB is proposing; Potlatch in Brainerd and SAPPI in Cloquet. He had a graph showing the landfill gas production comparison between an MSW landfill and an Industrial Landfill. He noted that the gas production for an industrial landfill is significantly less than an MSW landfill. He reviewed the testing procedure that was done on the paper sludge prior to disposal. He noted that SKB had brought in samples of the paper sludge so the Commission could see what the product was.

Chairman Wilkinson open discussion between the Commission, staff Mr. Doran and representatives of SKB.

Commissioner Sanders inquired as the gas migrating out of the landfill and off site.

Mr. Doran noted with the cells lined the migration of the gas would be to the surface and not out through the sides or the bottom.

Commissioner Sanders inquired as to the odors hanging down around the site and neighborhood rather than dissipating into the air.

Mr. Doran noted this doesn't happen very often and when it does is usually in the winter months. Typically you would notice the odors from an MSW landfill and not an industrial landfill because the higher generation of gas.

Commissioner Sanders inquired as to who monitors and reviews the reports that are generated.

Mr. Doran noted at the MPCA does but the City can also request copies of the reports so they can be checking on the gas levels also.

Commissioner Sanders was concerned with the future use of the property as playing fields with gas vents sticking out or with a collection system and the flameout area.



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Mr. Doran noted that the vents are usually placed around the site taking the future use into consideration so as to not interfere with the possible uses.

Commissioner Sanders inquired if Mr. Doran was aware of any explosions from the gas like the one in 1994 that killed a person and injured a number of others at a soccer game.

Mr. Doran noted he was aware of some of these occurring at an MSW landfill but not at an Industrial landfill since the amount of gas is substantially less than at an MSW.

Commissioner Sanders inquired as the flammability of the product as it exist.

Mr. Doran stated it was not flammable as it exists.

Commissioner Sanders inquired as to how many employees are at the landfill not including the trucking operation.

Mr. Backstrom stated they have four employees.

Commissioner Sanders inquired how the dumping of loads was not considered heavy equipment.

Mr. Backstrom noted that the noise studies that were done did not pick up any noise from the dumping of materials.

Commissioner Sanders read a prepared statement with his concerns with approving the request and how the propose changes did not meet the approval criteria for a conditional use.

Chairman Wilkinson inquired if there were any other questions from the Commission. There being no further questions he looked for a motion.

Motion: Commissioner Sanders made a motion to deny Resolution No. 16-20 Hours A Resolution Recommending Approval of a Conditional Use Permit Amendment to Allow the Expanded Hours of Operation for Shamrock Landfill, Motion died for lack of a second.

Motion: Commissioner Berglund made a motion to approve Resolution No. 16-20 Hours A Resolution Recommending Approval of a Conditional Use Permit Amendment to Allow the Expanded Hours of Operation for Shamrock Landfill, Commissioner Wilkinson seconded. (Motion was approved 4 – 1 Sanders)

Commissioner Berglund noted that he was satisfied by the noise studies and that the noise did not impact the neighborhood and the City had received no complaints from the neighbors.



Motion: Commissioner Sanders made a motion to deny Resolution No. 16-20 Paper Sludge A Resolution Recommending Approval of a Conditional Use Permit Amendment to Remove the Limits of Allowed Paper Sludge Waste for Shamrock Landfill, Commissioner Johnson seconded. (Motion failed 2-3, Bosto, Berglund and Wilkinson).

Motion: Commissioner Berglund made a motion to approve Resolution No. 16-20 Paper Sludge A Resolution Recommending Approval of a Conditional Use Permit Amendment to Remove the Limits of Allowed Paper Sludge Waste for Shamrock Landfill adding a third condition limiting the amount of paper sludge waste to 40 % of the volume, Commissioner Bosto seconded. (Motion was approved 3-2, Sanders and Johnson).

Commissioner Berglund believed the increase wasn't significant and that there will be a monitoring system installed that doesn't exist today.

Cottingham noted that these items would be forwarded to the City Council for their meeting on Tuesday, January 17th.

Property Owner Notification Distance

Mr. Cottingham stated that following the last meeting Councilmember Rock had inquired about the notification distance and the lack of notification sent to property owners who were concerned about the landfill application. He noted that the state statute requires notification to property owners within 350 feet for conditional use permit request and the City sent notices to property owners within 1,320 feet. He noted one city that he had worked in placed a sign on the property referencing the proposal. He noted that wouldn't work in this case since the property is not visible from a road. He said regardless of what distance you used someone would not be happy. He suggested looking at each case and deciding on a distance at that time.

The Commission discussed this and felt that the distance should be discussed with the Chairman so it was not just a staff decision.

Ed's Bakery – Design Standards

Mr. Cottingham noted that the EDA was looking at expending funds to help eliminate the slum and blight condition of the Ed's Bakery building at 1013 Cloquet Avenue. The proposal that they received was to place metal on the east side of the building. He noted the design standards required the front and portion of the building that was visible from Cloquet Avenue needed to be of a masonry material. The EDA was wondering about the possibility for support for a variance or an Ordinance amendment to the design standards.



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The Commission discusses this and felt there was not anything special about this property to support a variance and if the design standards were amended it would open up a number of parcels that would not have to install masonry. They did not feel this was fair to businesses that followed the standards. They were not in favor of either option and the remodel should work within the dollars being given.

Commissioner's Questions/Comment

None.

Next Meeting

February 14, 2017

Meeting adjourned 8:30 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Verso Corporation
Duluth Mill
100 N Central Ave
Duluth, MN 55807

Sarah Gustafson
Environmental Engineer

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January 25, 2017

Dave Hallback & City Council Members
City of Cloquet
1307 Cloquet Avenue
Cloquet, MN 55720-1657

Dear Mayor Hallback & Council Members,

I am writing you in response to the SKB Environmental/Shamrock Landfill CUP Amendment. I represent Verso Paper in Duluth, MN. We support the conditional use permit (CUP) amendment to increase both the landfill's hours of operation and the condition limiting paper residue.

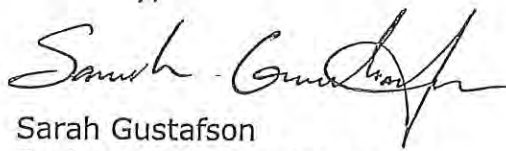
Paper mill residue is a byproduct of the recycling and paper making process made up of fiber, ash and water. Paper mill residue quickly turns from a form of waste into to a beneficial resource. Many studies support its use as a form of hydromulching/soil stabilization, incorporation for soil amendment projects and beneficial landfill cover. Landfills across the United States use this material to reduce odor, fugitive dust, and litter.

As you are likely aware from your relationship with SAPPI, the paper industry is struggling. We are constantly trying to reduce the cost of operation to remain profitable. Our paper mill residue disposal costs represent a significant expense to our mill. We have the potential to lower shipping costs by utilizing the Shamrock Landfill as our only destination. We seek to limit our liability and have a single source to dispose of the residue. As of now, Shamrock hauls the residue to Canyon, Veit and its own landfill in Cloquet. As the environmental representative for Verso Duluth Mill, it is my job to make sure that this byproduct is managed properly and remains in compliance with regulatory agencies. The Shamrock landfill, managed by SKB Environmental, has proven to do a far superior job in how they utilize the material.

The Verso Duluth Mill is committed to be a good member of the NE MN community. Currently 25% of the Verso Duluth Mill employees reside in Carlton County, and of them, 22 live in Cloquet. This does not include the contractors in the region who also work at our mill. Our forestry department includes 13 suppliers from Carlton County; this yields an estimated \$1.25 million per year. Our mill has an estimated annual economic impact in Duluth and the NE MN community, including Carlton County and the City of Cloquet, of more than \$100 million.

We believe this amendment will benefit the City of Cloquet, SKB Environmental/Shamrock Landfill and the Verso Duluth Mill, and therefore ask that you pass this amendment.

Sincerely,



Sarah Gustafson
Environmental Engineer

