



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

CITY COUNCIL WORK SESSION

There Will Be No Work Session Meeting

Roll Call.

2. **Pledge of Allegiance.**

3. **Approval of Agenda.**

- a. Approval of November 7, 2017 Council Agenda

4. **Approval of Council Minutes.**

- a. Work Session Minutes from the October 17, 2017 meeting
b. Regular Council Minutes from the October 17, 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. 17-88, Authorizing the Payment of Bills and Payroll
b. Home for the Holidays Celebration
c. Cloquet Country Club Beer and On-Sale Liquor Sales at CARC – Home for the Holidays Alumni Hockey Game
d. New Massage Therapist License – Alycia Kovach

6. **Public Hearings.**

None.

7. **Presentations.**

None.



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

8. **Council Business.**

- a. Resolution No. 17-86, Resolution Approving the Vacation of a Portion of the East/West Drainage and Utility Easement Lying South of 2005 Grant Avenue
- b. Resolution No. 17-87, Resolution Approving Sand and Gravel Excavation Permit Renewals for 2018
- c. Resolution No. 17-90, Resolution Approving Cooperative Construction Agreement No. 1029428 with the State of Minnesota, Department of Transportation Regarding State Project No. 0905-54 (T.H. 33)

9. **Public Comments.**

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

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

11. **Adjournment.**

Cloquet City Council Work Session

DRAFT

Tuesday, October 17, 2017

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

Absent: None

Staff: J. Barclay, H. Hansen, N. Klassen; C. Peterson

Other: J. Peterson, Pine Journal; M. Schultz, Sappi; B. Helwig, City Attorney

Sappi Log Storage Discussion

- Mike Schultz of Sappi was present to discuss their proposal of winter wood storage in the former nursery location on Cloquet Avenue. Wood would be received between the months of December through March. Mr. Schultz stated that local storage of wood leads to lowering wood cost and will bring more investment to the Cloquet plant. The plan is to create a new road into the mill off 18th Street and making it a permanent wood yard. Discussion took place on the impacts on traffic this will create with trucks backing up on Avenue B or Cloquet Avenue waiting to be unloaded. Mr. Schultz commented impacts will be minor. Hours of delivery will remain 6:00 am to 6:00 pm but can be changed if there are neighborhood concerns.
- Mr. Cottingham has discussed leaving the hedge that surrounds the nursery to maintain a barrier.

PLA Discussion

- Follow up from the July 18, 2017 Work Session when the Council requested Mr. Helwig to ask for the Attorney General's legal opinion regarding the application of the PLA Ordinance to privately funded projects that also receive financial assistance from the City. The response from the Attorney General states that the opinion is based on a 20- year old decision and cites cases from other states having similar PLAs, however, did not give a clear opinion based on these cases. Mr. Helwig's opinion remains that the PLA ordinance recently passed by the Council is over-reaching when applied to privately funded projects.
- Mr. Reeves suggested waiting for the end of construction season for staff to reach out to contractors for feedback on the impacts of the PLA on their projects. Council agreed to wait for the feedback and will revisit in 6-8 weeks to discuss any possible amendments to the ordinance resulting from the information. Mr. Reeves agreed with the suggestion that was made to contact Duluth about any changes they may be making to their PLA.

Police Chief Hiring Discussion

- Mr. Reeves reviewed the 3 options for moving forward in the Police Chief hiring process. Several Council members' opinions were voiced and a lengthy discussion took place.
- Mayor Hallback stated he will motion to amend the regular meeting agenda by adding the appointment of Interim Chief Palmer to Police Chief. Mr. Reeves commented to the Council that if the motion passes, as Administrator, it is his responsibility to assure the success of Mr. Palmer as Chief.

There being no further business, the meeting adjourned at 6:55 p.m.

Respectfully Submitted,

Aaron Reeves
City Administrator

DRAFT

Regular Meeting

Roll Call

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

Councilors Absent: None

Pledge of Allegiance

AGENDA

MOTION: Mayor Hallback moved and Councilor Langley seconded the motion to approve the October 17, 2017 agenda with the addition of *Item 8.D., Appointment of Jeff Palmer to Chief of Police for a probationary period of one year, effective October 17, 2017.* The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Rock moved and Councilor Langley seconded the motion to approve the minutes of the Work Session and Regular Meeting of October 3, 2017. The motion carried unanimously (7-0).

CONSENT AGENDA

MOTION: Councilor Bjerkness moved and Councilor Kolodge seconded the motion to adopt the consent agenda of October 17, 2017, approving the necessary motions and resolutions. The motion carried unanimously (6-0). Councilor Bailey abstained.

- a. Resolution No. 17-83, Resolution Authorizing the Payment of Bills
- b. Resolution No. 17-84, Resolution Approving Waiver of City Code Section 6.2.33, Subd. 3 Related to Hours of Sunday Sales of On-Sale Intoxicating Liquor.

PUBLIC HEARINGS

There were none.

PRESENTATIONS

- a. Mayor's Proclamation, the week of October 23rd as Manufacturing Week in the City of Cloquet

DOWNTOWN CLOQUET REVITALIZATION STRATEGY

MOTION: Councilor Bjerkness moved and Councilor Maki seconded the motion to accept the Downtown Cloquet Revitalization Strategy. The motion carried unanimously (7-0).

APPOINTMENT OF POLICE OFFICER

MOTION: Councilor Rock moved and Councilor Langley seconded the motion to approve the probationary appointment of Larry Sherk, effective October 23, 2017 to the position of Police Officer. The motion carried unanimously (7-0).

APPOINTMENT OF ADMINISTRATIVE POLICE SECRETARY

MOTION: Councilor Bailey moved and Councilor Langley seconded the motion to approve the six-month probationary appointment of Mindy Marczak to the position of Administrative Police Secretary. The motion carried unanimously (7-0).

APPOINTMENT OF POLICE CHIEF

MOTION: Councilor Rock moved and Councilor Langley seconded the motion to approve the change in status of Jeff Palmer from Interim Police Chief to Police Chief, with a probationary period of one year, effective immediately. The motion carried (4-3), Councilors Bjerkness, Kolodge and Maki opposed.

PUBLIC COMMENTS

- Barb Wyman, Nelson Road, congratulated the Council on the decision to appoint Jeff Palmer to Chief of Police. Ms. Nelson stated that she has heard positive feedback from officers that the police department is functioning well since the appointment of Mr. Palmer to Interim Chief in March.
- Jan Anderson, West Taylor Avenue, addressed the Council on her disappointment in the lack of an open process with former Police Chief Stracek's investigation and outcome when it was clear the community wanted an open process. Ms. Anderson also voiced her concern over the unprofessional behavior of Council members during the Work Session.
- Mike Pappas, 17th Street, questioned why the City isn't following a proper decision-making process. The current problems the city is facing is caused by a closed process. The position of Interim Chief should not guarantee the promotion to Chief.
- Wade Lamirande, Roland Road, shared his disappointment in the decision to not have an outside method in hiring a Chief. Mr. Lamirande shared his background and the steps that lead to his previous appointment to Chief and the difference now. He agrees with hiring from within the police department but through a procedure. Mr. Lamirande stated his hope for success for Mr. Palmer and the police department.
- Chris Pappas, 17th Street, stated his disappointment in the lack of a procedure in this Police Chief appointment. If Mr. Palmer is the best candidate, he would rise to the top during a search process. The Council is doing a disservice to the City by not having a vetting process.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

There were none.

CLOSED MEETING

Mayor Hallback announced that the City Council would now adjourn into a closed meeting as permitted under M.S. 13D.03, Subd. 1(b), for the purpose of discussing the pending labor negotiations with the Teamsters. The time is 7:27 p.m.

Mayor Hallback reopened the regular meeting at 8:13 p.m.

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

Aaron Reeves, 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 *NK*
Reviewed/Approved by: Aaron Reeves, City Administrator
Date: November 2, 2017

ITEM DESCRIPTION: Payment of Bills and Payroll

Proposed Action

Staff recommends the Council move to adopt **RESOLUTION NO. 17-88, 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. 17-88

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	\$	353,832.41
207	Community Development Operating		41,447.00
224	Public Facilities Planning		5,299.29
225	Permanant Improvement		9,825.00
226	Park Fund		19,465.57
231	Public Works Reserve		12,344.85
260	Landfill Host Fee		12,027.50
405	City Sales Tax Projects		781,142.73
600	Water - Lake Superior Waterline		57,490.07
601	Water - In Town		49,170.00
602	Sewer Fund		102,794.70
605	Storm Water Fund		10,668.15
614	CAT-7		10,234.44
701	Employee Severance Benefits		1,368.94
	TOTAL:	\$	<u>1,467,110.65</u>

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 7TH DAY OF NOVEMBER, 2017.**

ATTEST:

Dave Hallback, Mayor

Aaron Reeves, City Administrator

DATE: 11/02/2017
TIME: 10:17:19
ID: AP442000.WOW

CITY OF CLOQUET
VENDOR SUMMARY REPORT

PAGE: 1

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
112050	ADVANCED SERVICES INC	980.00	196.00
112325	VOLTEGE INC	0.00	30,601.00
112650	AJ'S LAWN CARE, INC	1,980.00	292.50
113650	AMAZON.COM CREDIT	4,903.03	236.43
116100	AMERICAN PAYMENT CENTERS	276.00	92.00
119700	ARROWHEAD CONCRETE WORKS, INC.	9,187.87	331.48
120100	ARROWHEAD LIBRARY SYSTEM	786.01	175.00
121000	ARROWHEAD SPRINGS INC	1,296.25	112.75
122955	AUTO VALUE PAINT & BODY	229.66	19.99
122958	AUTO ZONE, INC.	211.01	17.94
123400	BAKER & TAYLOR	6,744.69	355.68
125700	BEST OIL COMPANY	106,828.06	16,407.38
126850	BLAINE BROTHERS, INC	751.75	85.00
131425	CDW GOVERNMENT, INC	2,326.72	814.76
132450	CAPSTONE PRESS, INC.	0.00	25.99
134300	CARLTON COUNTY RECORDER	92.00	5.00
136150	CELLEBRITE USA, CORP	0.00	3,068.99
136850	CENTER POINT LARGE PRINT	375.66	42.54
137310	CENTURY LINK	25,282.56	1,460.96
139025	CINTAS	1,958.16	365.83
139800	CLOQUET AREA CHAMBER OF COMMER	44,829.72	6,047.27
140200	CITY OF CLOQUET - PETTY CASH	1,619.16	32.43
141100	CLOQUET FORD-CHRYSLER CENTER	33,167.33	43.87
142800	CLOQUET SANITARY SERVICE	8,153.93	129.83
142950	CLOQUET SHAW MEMORIAL	410.77	12.80
145300	COMMUNITY PRINTING	10,719.05	53.00
145800	COMPUDYNE	3,361.49	1,155.00
147950	COUNTRY CREATIONS INC	3,150.00	675.00
148800	CROW GOEBEL VETERINARY CLINIC	340.50	61.00
149150	ELXSI	0.00	650.00
150100	D A L C O	5,878.83	228.70
161675	EMC NATIONAL LIFE	15,269.85	1,154.15
161850	EMERGENCY AUTOMOTIVE TECH, INC	12,987.33	9,348.65
164900	THE FASTENAL COMPANY	1,390.91	25.63
168940	FDL SAND & GRAVEL	0.00	23,946.72
170950	FRIENDS OF ANIMALS	31,450.00	375.00
170975	FRIENDS OF THE CLOQUET LIBRARY	861.80	79.91
171800	GATE/ENGAGE LEARNING	1,008.12	62.38
174300	GLORY SHINE JANITORIAL CLEAN	9,450.00	2,775.00
175050	GOODPOINTE TECHNOLOGY LLC	21,237.00	9,825.00
175200	GOPHER STATE ONE CALL INC	1,751.05	182.25
175700	GRATNGER	826.90	29.64
175950	GRAPHIC TECHNOLOGIES	4,237.50	856.00
179300	HACH COMPANY	4,951.74	307.89

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
179340	HAGENS GLASS & PAINT	12,238.34	5,299.29
180425	HARRIS COMPUTER SYSTEMS	17,092.71	239.14
180500	HAWKINS INC	47,391.31	3,582.12
181500	HERMANTOWN HYDRAULICS	665.05	1,241.85
184485	HUNT ELECTRIC	978.42	65.97
187500	INGRAM LIBRARY SERVICES	11,355.11	1,326.44
190400	J. H. LARSON COMPANY	668.47	21.92
190700	JAMAR COMPANY	16,049.14	780.74
195045	KEEPRS, INC.	7,709.48	46.75
197300	KRAEMER CONSTRUCTION INC	4,184.50	1,000.00
198800	MINNESOTA STATE COLLEGES &	0.00	200.00
202300	LEAGUE OF MN CITIES	3,350.00	11,311.00
203200	LEXISNEXIS	450.00	50.00
204400	LINCOLN NATIONAL LIFE	42,543.76	2,499.67
206125	M R P T A	100.00	90.00
206500	M R SIGN CO INC	7,510.74	164.02
207400	MANRY INTERNATIONAL INC	84,266.50	1,898.77
209900	MCDONALD RENTALS INC	725.44	106.03
210450	MEDTACOM LLC.	2,302.91	212.39
211400	MENARDS	4,520.09	77.62
211700	METRO SALES, INC.	1,786.73	175.33
212400	MICHAUD DIST INC	265.00	38.50
213640	MIDWEST PLAYGROUND CONTRACTORS	0.00	72,035.09
213650	MIDWEST PLAYSAPES INC	0.00	109,300.00
214050	MICHAEL J. ORLOWSKI	0.00	95.00
214800	CITY OF MINNEAPOLIS RECIEVABLE	1,008.90	97.20
219067	MN DEPT OF ADMINISTRATION	8,072.87	2,140.20
227100	MORTON SALT	0.00	3,110.12
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	685.04
236100	NORTHLAND CONSTRUCTORS	615,540.10	779.14
240725	O'REILLY AUTO ENTERPRISES LLC	1,897.28	100.55
247400	396-PRAXAIR DISTRIBUTION, INC.	6,893.91	201.25
248600	PROGRESSIVE CONSULTING	5,260.00	699.30
248650	THE PROJECT CENTER	859.92	136.43
253400	RELIABLE AGENCY INC.	496,373.00	59.00
257925	ROYAL TIRE INC	6,189.74	1,245.92
260300	CITY OF SCANLON	8,423.87	19.26
260600	WILLIAM SCHLENOGT	0.00	100.00
260950	SCHOLASTIC LIBRARY PUBLISHING	151.32	19.50
261750	SEELYE PLASTICS, INC.	457.80	10.05
264500	SMART APPLE MEDIA	0.00	38.90
265050	SMITTY'S READY MIX OF BARNUM	5,721.75	120.00
268850	STO-COTE PRODUCTS, INC	0.00	284.67
271975	TEAMSTER LOCAL 346 HEALTH FUND	273,905.54	29,524.00

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
275050	TITAN ENERGY SYSTEMS INC	3,742.73	306.00
276225	KANDI KOUNTRY EXPRESS LTD	118,318.99	293.60
278550	TWIN PORTS PAPER & SUPPLY, INC	596.45	70.66
279100	U S BANK EQUIPMENT FINANCE	418.71	460.58
280400	ULLAND BROTHERS, INC.	838,382.67	604,624.84
280925	UNIQUE MANAGEMENT SERVICES	519.75	18.90
282900	UPPER LAKES FOODS INC	2,328.54	88.94
283700	USA BLUEBOOK	2,018.68	267.87
284875	VERIZON WIRELESS	9,054.11	931.06
286900	W L S S D	773,294.70	87,528.50
287800	WAL-MART COMMUNITY	1,671.26	105.93
287900	WAL-MART COMMUNITY	682.00	10.19
289010	WELLS FARGO	0.00	89.70
289015	WELLS FARGO CREDIT CARD	75,164.65	2,809.21
293700	ZIEGLER INC	7,113.17	540.00
R0000887	PRO PRINT, INC.	0.00	1,653.28
R0001229	PROGRESSIVE MICROTECHNOLOGY	683.42	274.39
R0001277	BURNS MCDONNELL	11,720.00	14,957.50
R0001504	GARETH STEVENS PUBLISHING LLLP	69.14	51.18
R0001540	VIRGINIA ERICKSON	0.00	88.40
R0001541	STEVEN HAGEN	0.00	639.12
R0001542	JOHN HALL	0.00	167.25
R0001543	SRF CONSULTING GROUP INC	0.00	384.06

TOTAL ALL VENDORS: 1,080,353.67

Less: CAFD (3,663.59)

Less: Library (8,078.53)

Bills approved 1,068,611.55

Other:

Payroll 429,627.98

Payroll - benefits (31,128.88)

Total Bills and
Payroll Approved

1,467,110.65

DATE: 11/02/2017
 TIME: 10:17:44
 ID: AP443000.WOW

CITY OF CLOQUET
 DEPARTMENT SUMMARY REPORT

PAGE: 1

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
GENERAL FUND			
00			
136150	CELEBRITE USA, CORP		1,519.49
161675	EMC NATIONAL LIFE	15,269.85	474.15
204400	LINCOLN NATIONAL LIFE	42,543.76	2,472.73
271975	TEAMSTER LOCAL 346 HEALTH FUND	273,905.54	28,182.00
R0001540	VIRGINIA ERICKSON		88.40
			32,736.77
32	LICENSES & PERMITS		
260300	CITY OF SCANLON	8,423.87	19.26
R0001542	JOHN HALL		167.25
	LICENSES & PERMITS		186.51
41	GENERAL GOVERNMENT		
139025	CINTAS	1,958.16	87.12
150100	D A L C O	5,878.83	93.47
161675	EMC NATIONAL LIFE	15,269.85	61.00
190700	JAMAR COMPANY	16,049.14	128.00
202300	LEAGUE OF MN CITIES	3,350.00	11,311.00
206125	M B P T A	100.00	90.00
212400	MICHAUD DIST INC	265.00	38.50
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	294.71
260600	WILLIAM SCHLENOGT		100.00
279100	U S BANK EQUIPMENT FINANCE	418.71	172.72
282900	UPPER LAKES FOODS INC	2,328.54	88.94
284875	VERIZON WIRELESS	9,054.11	280.08
286900	W L S S D	773,294.70	13,973.50
289015	WELLS FARGO CREDIT CARD	75,164.65	1,982.69
R0001277	BURNS MCDONNELL	11,720.00	2,930.00
	GENERAL GOVERNMENT		31,631.73
42	PUBLIC SAFETY		
125700	BEST OIL COMPANY	106,828.06	3,780.00
136150	CELEBRITE USA, CORP		1,549.50
137310	CENTURY LINK	25,282.56	632.05
139025	CINTAS	1,958.16	21.73

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
GENERAL FUND			
42	PUBLIC SAFETY		
148800	CROW GOEBEL VETERINARY CLINIC	340.50	61.00
150100	D A I C O	5,878.83	135.23
161675	EMC NATIONAL LIFE	15,269.85	230.00
170950	FRIENDS OF ANIMALS	31,450.00	375.00
190700	JAMAR COMPANY	16,049.14	118.00
195045	KEEPRS, INC.	7,709.48	46.75
214050	MICHAEL J. ORLOWSKI		95.00
214800	CITY OF MINNEAPOLIS RECIEVABLE	1,008.90	97.20
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	105.52
275050	TITAN ENERGY SYSTEMS INC	3,742.73	153.00
279100	U S BANK EQUIPMENT FINANCE	418.71	230.29
284875	VERIZON WIRELESS	9,054.11	350.10
287900	WAL-MART COMMUNITY	682.00	10.19
289010	WELLS FARGO		89.70
289015	WELLS FARGO CREDIT CARD	75,164.65	171.64
R0001229	PROGRESSIVE MICROT TECHNOLOGY	683.42	274.39
	PUBLIC SAFETY		8,526.29
43	PUBLIC WORKS		
121000	ARROWHEAD SPRINGS INC	1,296.25	64.00
122958	AUTO ZONE, INC.	211.01	17.94
125700	BEST OIL COMPANY	106,828.06	4,825.91
126850	BLAINE BROTHERS, INC	751.75	85.00
137310	CENTURY LINK	25,282.56	137.36
139025	CINTAS	1,958.16	12.25
161675	EMC NATIONAL LIFE	15,269.85	89.00
164900	THE FASTENAL COMPANY	1,390.91	25.63
168940	FDL SAND & GRAVEL		23,946.72
175200	GOPHER STATE ONE CALL INC	1,751.05	91.12
181500	HERMANTOWN HYDRAULICS	665.05	1,241.85
190400	J. H. LARSON COMPANY	668.47	21.92
198800	MINNESOTA STATE COLLEGES &		200.00
206500	M R SIGN CO INC	7,510.74	164.02
207400	MANEY INTERNATIONAL INC	84,266.50	1,898.77
227100	MORTON SALT		3,110.12
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	63.95
236100	NORTHLAND CONSTRUCTORS	615,540.10	779.14
240725	O'REILLY AUTO ENTERPRISES LLC	1,897.28	100.55
247400	396-PRAXAIR DISTRIBUTION, INC.	6,893.91	100.62
257925	ROYAL TIRE INC	6,189.74	1,245.92
265050	SMITTY'S READY MIX OF BARNUM	5,721.75	120.00

DATE: 11/02/2017
TIME: 10:17:44
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 3

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
GENERAL FUND			
43	PUBLIC WORKS		
276225	KANDI KOUNTRY EXPRESS LTD	118,318.99	293.60
280400	ULLAND BROTHERS, INC.	838,382.67	509.87
284875	VERIZON WIRELESS	9,054.11	90.82
289015	WELLS FARGO CREDIT CARD	75,164.65	20.39
R0001541	STEVEN HAGEN		639.12
R0001543	SRF CONSULTING GROUP INC		192.03
	PUBLIC WORKS		40,087.62
46	COMMUNITY DEVELOPMENT		
139800	CLOQUET AREA CHAMBER OF COMMER	44,829.72	6,047.27
	COMMUNITY DEVELOPMENT		6,047.27
COMMUNITY DEV OPERATING (CITY)			
46	COMMUNITY DEVELOPMENT		
112325	VOLTEDGE INC		30,601.00
161675	EMC NATIONAL LIFE	15,269.85	11.00
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	24.17
289015	WELLS FARGO CREDIT CARD	75,164.65	45.09
R0000887	PRO PRINT, INC.		1,653.28
R0001543	SRF CONSULTING GROUP INC		192.03
	COMMUNITY DEVELOPMENT		32,526.57
LIBRARY FUND			
00			
142950	CLOQUET SHAW MEMORIAL	410.77	12.80
170975	FRIENDS OF THE CLOQUET LIBRARY	861.80	79.91
			92.71
45	CULTURE AND RECREATION		
113650	AMAZON.COM CREDIT	4,903.03	236.43
120100	ARROWHEAD LIBRARY SYSTEM	786.01	175.00
123400	BAKER & TAYLOR	6,744.69	355.68

DATE: 11/02/2017
 TIME: 10:17:44
 ID: AP443000.WOW

CITY OF CLOQUET
 DEPARTMENT SUMMARY REPORT

PAGE: 4

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
LIBRARY FUND			
45	CULTURE AND RECREATION		
131425	CDW GOVERNMENT, INC	2,326.72	814.76
132450	CAPSTONE PRESS, INC.		25.99
136850	CENTER POINT LARGE PRINT	375.66	42.54
140200	CITY OF CLOQUET - PETTY CASH	1,619.16	32.43
142800	CLOQUET SANITARY SERVICE	8,153.93	129.83
145800	COMPUDYNE	3,361.49	1,155.00
161675	EMC NATIONAL LIFE	15,269.85	50.00
171800	GALE/CENGAGE LEARNING	1,008.12	62.38
174300	GLORY SHINE JANITORIAL CLEAN	9,450.00	2,775.00
184485	HUNT ELECTRIC	978.42	65.97
187500	INGRAM LIBRARY SERVICES	11,355.11	1,326.44
203200	LEXISNEXIS	450.00	50.00
210450	MEDIACOM LLC.	2,302.91	139.90
211700	METRO SALES, INC.	1,706.73	175.33
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	68.97
260950	SCHOLASTIC LIBRARY PUBLISHING	151.32	19.50
264500	SMART APPLE MEDIA		38.90
278550	TWIN PORTS PAPER & SUPPLY, INC	596.45	70.66
280925	UNIQUE MANAGEMENT SERVICES	519.75	18.90
284875	VERIZON WIRELESS	9,054.11	105.03
R0001504	GARETH STEVENS PUBLISHING LLP	69.14	51.18
	CULTURE AND RECREATION		7,985.82
PUBLIC FACILITIES PLANNING			
81	SPECIAL PROJECTS		
179340	HAGENS GLASS & PAINT	12,238.34	5,299.29
	SPECIAL PROJECTS		5,299.29
PERMANENT IMPROVEMENT			
56	CONSTRUCTION & MAINTENANCE		
175050	GOODPOINTE TECHNOLOGY LLC	21,237.00	9,825.00
	CONSTRUCTION & MAINTENANCE		9,825.00
PARK FUND			
45	CULTURE AND RECREATION		

DATE: 11/02/2017
 TIME: 10:17:44
 ID: AP443000.WOW

CITY OF CLOQUET
 DEPARTMENT SUMMARY REPORT

PAGE: 5

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
PARK FUND			
45	CULTURE AND RECREATION		
112050	ADVANCED SERVICES INC	980.00	196.00
112650	AJ'S LAWN CARE, INC	1,980.00	292.50
125700	BEST OIL COMPANY	106,828.06	1,074.44
137310	CENTURY LINK	25,282.56	178.55
139025	CINTAS	1,958.16	220.25
141100	CLOQUET FORD-CHRYSLER CENTER	33,167.33	43.87
147950	COUNTRY CREATIONS INC	3,150.00	675.00
161675	FMC NATIONAL LIFE	15,269.85	36.00
209900	MCDONALD RENTALS INC	725.44	31.03
211400	MENARDS	4,520.09	13.07
253400	RELIABLE AGENCY INC.	496,373.00	59.00
	CULTURE AND RECREATION		2,819.71
PUBLIC WORKS RESERVE			
42	PUBLIC SAFETY		
161850	EMERGENCY AUTOMOTIVE TECH, INC	12,987.33	9,348.65
175950	GRAPHIC TECHNOLOGIES	4,237.50	856.00
219067	MN DEPT OF ADMINISTRATION	8,072.87	2,140.20
	PUBLIC SAFETY		12,344.85
LANDFILL HOST FEE			
43	PUBLIC WORKS		
R0001277	BURNS MCDONNELL	11,720.00	12,027.50
	PUBLIC WORKS		12,027.50
CITY SALES TAX CAPITAL			
00			
280400	ULLAND BROTHERS, INC.	838,382.67	-40,429.29
			-40,429.29
81	SPECIAL PROJECTS		
134300	CARLTON COUNTY RECORDER	92.00	5.00

DATE: 11/02/2017
 TIME: 10:17:44
 ID: AP443000.WOW

CITY OF CLOQUET
 DEPARTMENT SUMMARY REPORT

PAGE: 6

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
CITY SALES TAX CAPITAL			
81	SPECIAL PROJECTS		
213640	MIDWEST PLAYGROUND CONTRACTORS		72,035.09
213650	MIDWEST PLAYSAPES INC		109,300.00
268850	STO-COTE PRODUCTS, INC		284.67
280400	ULLAND BROTHERS, INC.	838,382.67	639,947.26
	SPECIAL PROJECTS		821,572.02
WATER - LAKE SUPERIOR WATERLINE			
50	STATION 1		
197300	KRAEMER CONSTRUCTION INC	4,184.50	1,000.00
	STATION 1		1,000.00
51	STATION 2		
121000	ARROWHEAD SPRINGS INC	1,296.25	18.75
122955	AUTO VALUE PAINT & BODY	229.66	19.99
137310	CENTURY LINK	25,282.56	200.14
161675	EMC NATIONAL LIFE	15,269.85	40.00
175700	GRAINGER	826.90	29.64
179300	HACH COMPANY	4,951.74	307.89
180500	HAWKINS INC	47,391.31	494.80
211400	MENARDS	4,520.09	9.99
261750	SEELYE PLASTICS, INC.	457.80	10.05
	STATION 2		1,131.25
52	LAKE SUPERIOR WATERLINE		
125700	BEST OIL COMPANY	106,828.06	1,010.74
161675	EMC NATIONAL LIFE	15,269.85	20.00
280400	ULLAND BROTHERS, INC.	838,382.67	4,597.00
284875	VERIZON WIRELESS	9,054.11	35.01
293700	ZIEGLER INC	7,113.17	540.00
	LAKE SUPERIOR WATERLINE		6,202.75
57	ADMINISTRATION		

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
WATER - LAKE SUPERIOR WATERLIN			
57	ADMINISTRATION		
161675	EMC NATIONAL LIFE	15,269.85	3.30
	ADMINISTRATION		3.30
WATER - IN TOWN SYSTEM			
49	CLOQUET		
119700	ARROWHEAD CONCRETE WORKS, INC.	9,187.87	331.48
125700	BEST OIL COMPANY	106,828.06	1,412.96
137310	CENTURY LINK	25,282.56	113.55
139025	CTNTAS	1,958.16	12.24
161675	EMC NATIONAL LIFE	15,269.85	32.00
180500	HAWKINS INC	47,391.31	3,087.32
190700	JAMAR COMPANY	16,049.14	416.74
209900	MCDONALD RENTALS INC	725.44	75.00
211400	MENARDS	4,520.09	54.56
247400	396-PRAXAIR DISTRIBUTION, INC.	6,893.91	60.38
248650	THE PROJECT CENTER	859.92	136.43
283700	USA BLUEBOOK	2,018.68	267.87
284875	VERTIZON WIRELESS	9,054.11	35.01
289015	WELLS FARGO CREDIT CARD	75,164.65	28.23
	CLOQUET		6,063.77
54	BILLING & COLLECTION		
116100	AMERICAN PAYMENT CENTERS	276.00	92.00
145300	COMMUNITY PRINTING	10,719.05	53.00
161675	EMC NATIONAL LIFE	15,269.85	12.50
180425	HARRIS COMPUTER SYSTEMS	17,092.71	239.14
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	31.04
279100	U S BANK EQUIPMENT FINANCE	418.71	57.57
	BILLING & COLLECTION		485.25
57	ADMINISTRATION & GENERAL		
137310	CENTURY LINK	25,282.56	82.41
161675	EMC NATIONAL LIFE	15,269.85	6.70
175200	GOPHER STATE ONE CALL INC	1,751.05	54.68
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	48.34

DATE: 11/02/2017
TIME: 10:17:44
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 8

INVOICES DUE ON/BEFORE 11/07/2017

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
WATER - IN TOWN SYSTEM			
57	ADMINISTRATTON & GENERAL		
248600	PROGRESSIVE CONSULTING	5,260.00	699.30
	ADMINISTRATION & GENERAL		891.43
ENTERPRISE FUND - SEWER			
00			
286900	W L S S D	773,294.70	-4,865.00
			-4,865.00
55	SANITARY SEWER		
125700	BEST OIL COMPANY	106,828.06	920.74
139025	CINTAS	1,958.16	12.24
149150	ELXSI		650.00
161675	EMC NATIONAL LIFE	15,269.85	20.00
247400	396-PRAXAIR DISTRIBUTION, INC.	6,893.91	40.25
284875	VERIZON WIRELESS	9,054.11	35.01
286900	W L S S D	773,294.70	78,420.00
	SANITARY SEWER		80,098.24
57	ADMINISTRATION & GENERAL		
137310	CENTURY LINK	25,282.56	54.94
161675	EMC NATIONAL LIFE	15,269.85	30.50
175200	GOPHER STATE ONE CALL INC	1,751.05	36.45
234600	NORTHERN BUSINESS PRODUCTS	8,916.72	48.34
	ADMINISTRATION & GENERAL		170.23
STORM WATER UTILITY			
57	ADMINISTRATTON & GENERAL		
161675	EMC NATIONAL LIFE	15,269.85	4.50
289015	WELLS FARGO CREDIT CARD	75,164.65	561.17
	ADMINISTRATION & GENERAL		565.67

DATE: 11/02/2017
TIME: 10:17:44
ID: AP443000.WOW

CITY OF CLOQUET
DEPARTMENT SUMMARY REPORT

PAGE: 9

INVOICES DUE ON/BEFORE 11/07/2017


VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
STORM WATER UTILITY			
59	OPERATIONS		
161675	EMC NATIONAL LIFE	15,269.85	10.00
	OPERATIONS		10.00
CABLE TELEVISION			
45	CULTURE AND RECREATION		
121000	ARROWHEAD SPRINGS INC	1,296.25	30.00
137310	CENTURY LINK	25,282.56	61.96
161675	EMC NATIONAL LIFE	15,269.85	13.50
210450	MEDIACOM LLC.	2,302.91	72.49
287800	WAL-MART COMMUNITY	1,671.26	105.93
	CULTURE AND RECREATION		283.88
EMPLOYEE SEVERANCE			
45	EMPLOYEE VACATION & SICK		
204400	LINCOLN NATIONAL LIFE	42,543.76	26.94
271975	TEAMSTER LOCAL 346 HEALTH FUND	273,905.54	1,342.00
	EMPLOYEE VACATION & SICK		1,368.94
CLOQUET AREA FIRE DISTRICT			
42	PUBLIC SAFETY		
125700	BEST OIL COMPANY	106,828.06	3,382.59
161675	EMC NATIONAL LIFE	15,269.85	10.00
190700	JAMAR COMPANY	16,049.14	118.00
275050	TITAN ENERGY SYSTEMS INC	3,742.73	153.00
	PUBLIC SAFETY		3,663.59
	TOTAL ALL DEPARTMENTS		1,080,353.67



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: October 25, 2017

ITEM DESCRIPTION: Home for the Holidays Celebration

Proposed Action

Staff recommends that the City Council move to approve the closure of Industrial Avenue from 14th Street to 15th Street, and Cloquet Avenue from 18th Street to 6th Street on December 2, 2017 from 3:30 p.m. to 6:00 p.m. for the Holiday Hustle race and Home for the Holidays parade; discuss the recognition of this event as a community event for liability insurance purposes; authorize the execution of contract for fireworks display; and the use of the City's parking lot at 1111 Cloquet Avenue.

Background/Overview

Enclosed the City Council will find a request from Alyson Leno, representing the Home for the Holidays Celebration, seeking approval to hold the event and related activities again this year. The event will kick off with the 1 mile Holiday Hustle before the start of the parade. Fireworks are also being displayed and the "Agreement" is attached. The Council is asked to allow the City to enter into a contract with Pyrotechnic display, Inc. for the fireworks display. The City also is the contracting party for the 4th of July fireworks.

The remainder of items described will be held at Voyagers, Spafford and Veterans Parks as they have in the past.

In addition to the parade, there are two items that require City Council discussion. First, the celebration committee is asking that the City recognize the event as a City sponsored event. Thus, the event and volunteers working on the event would fall under the City's Event Liability coverage. This celebration has historically been sponsored and coordinated by the business community. The City is currently assisting in the preparation for the event by funding the Events Coordinator position. There is no additional cost to the City in regard to its Event Liability insurance if the Council were to designate this as a community event.

Second, the event organizers are asking to utilize the City's parking lot on the corner of 11th Street and Cloquet Avenue as a gathering place and with fire barrels placed on the property. The City has previously allowed such activity on this lot. If allowed, the fire barrels will be arranged in a way that no damage can occur to the lot.

Policy Objectives

The support of this type of community event is not directly addressed in any City policy or ordinance. The objective of this event is to promote community pride and encourage both local residents and non-local shoppers to participate. Support would be consistent with the City's decision to ask its Event Coordinator to assist with the event.

Financial/Budget/Grant Considerations

Some staff is required for clean-up and barricading of streets. The insurance costs will fall under the City's existing liability coverage. There will be some direct cost to the City as it relates to garbage removal. Finally, the lighting and electricity use in the parks will result in some direct costs to the City.

To Mayor and Council
Home for the Holidays Celebration
October 25, 2017
Page 2

Advisory Committee/Commission Action

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

Supporting Documentation Attached

- Request from Alyson Leno
- Pyrotechnic Display, Inc. Display Contract
- Outdoor Fireworks Display Permit Application
- Reindeer Display Appearance Contract

October 24, 2017

Cloquet City Council
1307 Cloquet Avenue
Cloquet, MN 55720

City Council:

Santa's Home for the Holiday's Celebration is right around the corner and our committee is in the process of putting together an eventful weekend with FREE holiday activities for families and residents from Cloquet and the surrounding communities. Below, you will find a list regarding approvals needed for the Santa's Home for the Holiday's Celebration.

1. Street Closures
 - a. December 2nd: Industrial Avenue, 3:30-6:00pm (parade line-up and Holiday Hustle race)
 - b. December 2nd: 18th Street, 3:30-5:30 (parade line-up and Holiday Hustle race)
 - c. December 2nd: Cloquet Avenue, 5:00-6:00pm (parade)
2. Street Usage
 - a. December 2nd: We will be offering trailer rides between MCCU and Cloquet Ford as these two sites will be hosting events.
3. Use of Parks
 - a. November 1 – November 22: Voyagers Park, all day (Bentley light display set-up. He recommends we get these set up earlier than later due to weather). The light display is planned to be set up along the walking trail/skating ribbon in the park.
 - b. November 23rd – December 31st:
 - i. Every evening, like Spafford Park, we would request that these lights be turned on for the community to enjoy.
 - ii. We'd like to request the walking trail along the river and the skating ribbon be cleared throughout the winter for community members to walk/skate and see the displays.
 - iii. Would the City pay for the park and electricity for the month?
 - c. December 2: Veterans Park, all day. The Fire Chief has approved of us to have our Fireworks shot off from Veterans Park in the attached location.
 - i. This will need to be fenced off to secure the area.
4. Use of Parking Lot
 - a. City parking lot on Cloquet Avenue, in front of the Carlton County building
 - i. We'd like to have fire barrels to keep people warm before/during/after the parade.
 - b. Cloquet Area Fire District also hosts these fire barrels (2 locations for families to warm up before/during/after parade).
 - i. The Fire District has agreed to put out all fires for us after the parade.
5. Insurance
 - a. Just like last year, we would like to request Santa's Home for the Holiday's Celebration be covered under the City of Cloquet's insurance policy.

Thank you for your consideration regarding the Santa's Home for the Holiday's Celebration approvals.

Alyson Leno
aleno@cloquet.com

SECTION 8 NON-PARTNERSHIP

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

SECTION 9 VENUE

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

SECTION 10 NOTICES

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

SECTION 11 LEGAL CONSTRUCTION

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

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

SECTION 12 ENTIRE AGREEMENT

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

THIS CONTRACT IS VALID FOR THE NEXT 45 DAYS, PLEASE SIGN AND RETURN PRIOR TO THAT TIME.

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

Signed on: October 24, 2017,

PYROTECHNIC DISPLAY, INC.

BY: Mark C. Hanson

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

ITS: Event Producer

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

Signed on: _____, 20____

CUSTOMER:

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

NAME: _____
(PLEASE TYPE OR PRINT)

ITS: _____

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



CITY ADMINISTRATOR'S OFFICE

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

APPLICATION FOR OUTDOOR PUBLIC FIREWORKS DISPLAY

- 1. This application is for an outdoor public fireworks display only and is not valid for an indoor fireworks display.
2. This application must be completed and returned at least 15 days prior to date of display.

Name of Applicant (Sponsoring Organization): City of Cloquet-Santa's Home for the Holidays event

Address of Applicant: 1307 Cloquet Avenue, Cloquet, MN 55720

Names of Applicant's Authorized Agent: Pyrotechnic Display, Inc.

Address of Agent: 9405 River Road SE, Clear Lake, MN 55319

Telephone Number of Agent: 800-507-9074 Ext. 1 Date of Display: 12-2-17 Time of Display: 5-6pm

Location of Display: Veterans Park, Cloquet, MN-see attached site map

Manner and place of storage of fireworks prior to display:

Delivery and storage in truck on day of show

Type and number of fireworks to be discharged:

1.3G product - up to 4" aerial shells and Multi-Shot Box Items and Candles

MINNESOTA STATE LAW REQUIRES THAT THIS DISPLAY BE CONDUCTED UNDER THE DIRECT SUPERVISION OF A PYROTECHNIC OPERATOR CERTIFIED BY THE STATE FIRE MARSHAL.

Name of Supervising Operator: Patrick Liebl Certificate No. 0814

Required attachments. The following attachments must be included with this application:

- 1. Proof of a bond or certificate of insurance in amount of at least \$1.5 million.
2. A diagram of the grounds at which the display will be held. This diagram (drawn to scale or with dimensions included) must show the point at which the fireworks are to be discharged; the location of ground pieces; the location of all buildings, highways, streets, communication lines and other possible overhead obstructions; and the lines behind which the audience will be restrained.
3. Names and ages of all assistants that will be participating in the display.

The discharge of the listed fireworks on the date and at the location shown on this application is hereby approved, subject to the following conditions, if any:

I understand and agree to comply with all provisions of this application, MN Statute 624.20 through 624.25, MN State Fire Code, National Fire Protection Association Standard 1123 (2006 edition), applicable federal law(s) and the requirements of the issuing authority, and will ensure that the fireworks are discharged in a manner that will not endanger persons or property or constitute a nuisance.

Signature of Applicant (or Agent): Becky Hanson Date: 10-25-17

Signature of Fire Chief: Date:

Signature of Issuing Authority: Date:

CONTRACT – REINDEER DISPLAY APPEARANCE

This contract is entered into by:

Bluestem Reindeer LLC (hereafter called “contractor”), 5141 33rd St NW, Maple Lake, MN 55358

and

City of Cloquet, MN (hereafter called “contractee”)

APPEARANCE INFORMATION:

Date of Event: December 2, 2017

Start time and duration of the contracted appearance: 2:00 PM start, 2 hour duration

SPECIFICS OF THE CONTRACTED APPEARANCE PACKAGE:

- Bluestem Reindeer LLC provides two genuine live reindeer, plus the following:
 - Free-standing pen, 10 ft x 10 ft x 6 ft, including a floor covering of tarp and carpet.
 - A low barrier to keep visitors at arm’s length from the pen.
 - Holiday decorations on the pen, and signage to attract or direct visitors to the display.
 - A full-size sleigh for use by visitors for photographs, with no posed reindeer participation in photos.
 - Handler personnel present at all times, with feed and water.
 - Informational handout on reindeer, and/or a children’s coloring page, and a shed antler for visitors to examine. Handlers will gladly answer questions and provide information about reindeer.
- Bluestem Reindeer LLC will arrive at the display site approximately 1 hour before the start time and will handle setup, takedown, and cleanup.
- Photographs are allowed, but no visitors will be allowed inside the pen. There will be no petting opportunities for visitors. This is for the safety of both animals and people.
- Bluestem Reindeer LLC will be protected from liability by the insurance of the City of Cloquet.
- The Contractee will provide:
 - An electrical hookup to power lights and/or fans as the situation requires.
 - The ability to park a trailer for unloading and loading within 100 yards of the pen setup location.
 - Reasonable protection from harsh weather conditions, access to water, restrooms, and a trash receptacle.

FEE FOR THE APPEARANCE:

20% deposit/booking fee is due on or before (date), 2017 in the amount of \$()

The balance due upon arrival of reindeer at the appearance site: \$1250.

This fee is all-inclusive of a display-type appearance, round-trip mileage, and insurance.

CANCELLATION TERMS:

If the contractee cancels or breaks the contract within 90 days of the event date, a cancellation fee of 50% of the total contracted fee applies.

If the contractee cancels or breaks the contract within 30 days of the event date, a cancellation fee of 100% of the total contracted fee applies.

Any prepaid deposit amount is applied toward the cancellation fee.

Any cancellation due to weather or other force majeure cause will result in the return of all prepaid deposits and fees, and will free the contractor and contractee of all contracted obligations.

SIGNATURES OF PARTIES ENTERING INTO CONTRACT:

Contractor David R. Dorow Date 10/29/2017
David R. Dorow

Contractee _____ Date _____
City of Cloquet, Aaron Reeves



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 *AR*
Date: November 1, 2017

ITEM DESCRIPTION: Cloquet Country Club Beer and On-Sale Liquor Sales at CARC

Proposed Action

Staff recommends that the City Council move to authorize the Cloquet Country Club to allow for the sale of beer and limited selection of hard alcohol products at the Cloquet Area Recreation Center (Northwoods Arena) as part of the Home for the Holidays Cloquet versus Duluth East alumni hockey game to be held on December 2, 2017 under all the same conditions that the Cloquet Country Club follows for other licensed games.

Background/Overview

This past September, the City Council authorized the Cloquet Country Club to sell beer and a limited selection of hard alcohol products at the Cloquet Area Recreation Center (Northwoods Arena) for a period expiring June 30, 2018. This approval authorizes the sale only during the specific games included on the Minnesota Wilderness Junior A hockey game schedule.

The arena, through the extension of the Cloquet Country Club's license, was permitted to sell during the 2017-2018 season. The City has also historically allowed beer and intoxicating liquor to be sold at CARC for a wide variety of special events. Typically, these special events have been allowed through the issuance of temporary licenses to local non-profit organizations.

Under Minnesota Statutes 340A.404, Subdivision 4, the governing body of a municipality may authorize a holder of a retail on-sale intoxicating liquor license issued by the municipality to dispense intoxicating liquor at any convention, banquet, conference, meeting or social affair conducted on the premises of a sports, convention, or cultural facility owned by the municipality. Both the City Attorney and State of Minnesota have confirmed that CARC qualifies for sales under this section of State law. The addition of this one game to the licensing process is compliant with Statute.

During last season's game schedule, the City received no complaints regarding the sale of alcohol at the facility. There were no major issues related to problems or involvement of law enforcement.

This request is being made by the Cloquet Chamber of Commerce and the Minnesota Wilderness as the sponsoring parties of an adult alumni hockey game as part of the Home for the Holidays community celebration. There will be no minors or current members of the either high school team participating in the event.

To Mayor and Council
Alumni Hockey Game Beer/On Sale Liquor Sales
November 1, 2017
Page 2

Policy Objectives

M.S. 340A.404, Subd. 4, specifically addresses this request. City Code, Section 6.2 also addresses the licensing of alcohol within City limits.

Financial/Budget/Grant Considerations

There are no direct financial impacts to the City related to this application.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Letter of Request from Cloquet Chamber of Commerce
- Event Flier

November 3, 2017

City of Cloquet
City Administrator
1307 Cloquet Avenue
Cloquet, MN 55720

Dear Mr. Reeves:

The Cloquet Area Chamber of Commerce is writing to request the City of Cloquet include one additional event to the Cloquet Country Clubs liquor license in collaboration with the Minnesota Wilderness.

The Cloquet Area Chamber is coordinating the 2nd annual Alumni Hockey Game as part of the numerous communities events planned for the "Home for the Holidays" weekend November 30th – December 2nd. The Alumni Hockey Game will be held at the North Woods Credit Union Arena and will feature the Cloquet Lumberjacks and Duluth East Greyhounds. The Wilderness is a major sponsor of the event and would like to request the December 2nd Alumni Game be added to their list of games on the existing liquor license through the Cloquet Country Club. I have included the event flyer which includes more details for you to review.

The Cloquet Area Chamber of Commerce is thrilled to participate in the Home for the Holidays community weekend. If you have any questions regarding the request or the event please contact me here at the Chamber office. Thank you for considering our request.

Sincerely,

Kelly Zink
President

Alumni Hockey Game



Cloquet Lumberjacks ALUMNI

VS Duluth East ALUMNI

Join the Cloquet Area Chamber of Commerce at the competitive alumni hockey game where the long-time rivals will battle for the coveted Alumni Cup!

Saturday, December 2

7:00 pm

NWCU Arena

1102 Olympic Drive, Cloquet

Tickets sold at:

Cloquet Area Chamber of
Commerce or Frandsen Bank,

PRE-SALE

\$8.00 Adults

\$4.00 Students

OR at game

\$10.00 Adults

\$5.00 Students

Sponsors:

KOLAR
CHEVROLET BUICK GMC



EXPERIENCE
THE NEW BUICK

GMC
WE ARE PROFESSIONAL GRADE



Cloquet Area
Chamber of Commerce



FRANDSEN BANK & TRUST



frandsenbank.com
Member FDIC



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 *AR*
Date: November 6, 2017

ITEM DESCRIPTION: Approval of New Therapeutic Massage Therapist License

Proposed Action

Staff recommends the City Council move to approve the Therapeutic Massage Therapist license for Alycia Kovach, effective November 8, 2017.

Background/Overview

The City has received an application from Alycia Kovach, 412 13th Street, for a new Therapeutic Massage Therapist license. Ms. Kovach will be operating at Leno Chiropractic, 123 Avenue C.

Policy Objectives

Approval of a Therapeutic Massage Therapist license is required under Section 6.9 of the Municipal Code. There is no limit on the number of licenses issued in any one year. Ms. Kovach has submitted the appropriate paperwork and a background check has been completed.

Financial/Budget/Grant Considerations

The City's fee schedule requires a \$50 fee for the therapist license. The applicant has paid all fees.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Application



CITY ADMINISTRATOR'S OFFICE
 1307 Cloquet Avenue, Cloquet MN 55720
 Phone: 218-879-3347 Fax: 218-879-6555
 www.ci.cloquet.mn.us
 email: djohnson@ci.cloquet.mn.us

**APPLICATION FOR THERAPEUTIC MASSAGE
 THERAPIST LICENSE**

This application, all required documentation and fees must be submitted by any person desiring to obtain a license to practice therapeutic massage within the City of Cloquet, MN.

APPLICANT INFORMATION		
Name: First Alycia	Full Middle Ann	Last Kovach
Current Address: Street / City / State / Zip Code Cloquet MN 55720		
E-mail address: (if applicable)		
Home Phone:	Cell Phone:	Work Phone:
Date of Birth: 05/16/1991	Social Security Number:	

BUSINESS INFORMATION	
Business where Massage Therapy Services will be conducted: <input checked="" type="checkbox"/> Business <input type="checkbox"/> *Residence	
*A Therapeutic Massage Therapist License will only be issued to a person at a residence which is properly zoned and/or meets the zoning requirements for such location as may be required by the City. For zoning verification, contact the Cloquet Zoning Department at (218) 879-2507 prior to submitting your application.	
Business Name: Lena Chiropractic	Manager of Business: Jeff Lena
Business Street Address: 123 Ave C	
Phone Number: 218.879.1556	Alternate Number:
Owner of Business: Jeff Lena	
Owner's Residence Address: Street / City / State / Zip Code	
Home Phone:	Cell Phone:
Work Phone:	
E-mail address: (if applicable) Chirolena@equiil.com	
Property Parcel ID Number: 06-045-3320	Property Complete Legal Description: Lot 4, Block A Original town of Cloquet

FINANCIAL INFORMATION	
Real Estate Taxes on property to be licensed are:	<input checked="" type="checkbox"/> Paid current <input type="checkbox"/> Delinquent
Are there any financial claims to the City of Cloquet owed by the applicant /property owner?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If there are current financial claims owed to the City of Cloquet, please state the amount(s) and type of claim:		
Responsible Party:	Amount:	Type of claim (i.e., utilities, etc.)
Responsible Party:	Amount:	Type of claim (i.e., utilities, etc.)

ADDITIONAL INFORMATION
(attach additional sheets as necessary)

Have you ever applied for or held a license to conduct a similar activity in any other City or State? Yes No
 If yes, please provide details; description, date and location:

Have you ever been denied a license to conduct a similar or like activity or had such licenses suspended, revoked or canceled in any City/State, including Cloquet? Yes No
 If yes, please provide details; description, date and location:

List all names, nicknames and aliases by which you have been known:
 Alycia Dahl, Ally Kovach, Ally Dahl

List addresses at which you have lived during the preceding five years. Begin with present or last address and work back. Attach additional sheets if necessary.

Street / City / State / Zip Code
 905 S 6th Ave Virginia MN 55792

Dates at Address:
 March 2014 - October 26 2017

Street / City / State / Zip Code
 412 13th St Cloquet MN 55720

Dates at Address:
 1994 - March 2014

Name, location and type of every business or occupation you have been engaged in during the preceding five years. Begin with present or last occupation and work back. Attach additional sheets if necessary.

Business or Occupation:
 Slot technician - Fortune Bay Resort and Casino

City / State / Zip Code
 1430 Bois Forte Rd Tower MN 55790

Dates at Address:
 May 24 2017 - October 23 2017

Business or Occupation:
 Massage Therapist - Pebble Spa Company

City / State / Zip Code
 105 N 5th Ave Virginia MN 55792

Dates at Address:
 December 2015 - October 2017

Business or Occupation:
 Customer Service Representative - Blue Cross and Blue Shield

City / State / Zip Code
 1301 Chestnut St W Virginia MN 55792

Dates at Address:
 August 2014 - August 2015

Please provide the names and addresses of your employers and partners, if any, for the preceding five years. Begin with present or last occupation and work back. *Attach additional sheets if necessary.*

Employer or Partner:

Brian Kieth - Slot Manager

Street / City / State / Zip Code

1430 Bois Forte Rd Tower MN 55790

Dates:

May 24 2017 - October 23 2017

Employer or Partner:

Wendy Lindsay - Spa Owner

Street / City / State / Zip Code

105 N 5th Ave Virginia MN 55792

Dates:

December 2015 - October 2017

Have you ever been convicted of any felony, crime or violation of any ordinance, other than traffic?

Yes

No

If yes, give information as to the date, place, and offense for each conviction. Also, specifically state if any such conviction was a felony offense or involved any allegations of physical assault or sexual misconduct.

List the names, residences, and business addresses of three residents of Carlton County, of good moral character, not related to the applicant or financially interested in the premises or business, who may be referred to as to the applicant's character.

Name:

Natalie Swanson

Residence Address:

Cloquet MN 55720

Business Address:

Phone Number:

Name:

Lauren Clark

Residence Address:

Holyoke MN 55749

Business Address:

Phone Number:

Name:

Desiree Hagenbeck

Residence Address:

Carlton MN 55718

Business Address:

Phone Number:

If there are current financial claims owed to the City of Cloquet, please state the amount(s) and type of claim:		
Responsible Party:	Amount:	Type of claim (i.e., utilities, etc.)
Responsible Party:	Amount:	Type of claim (i.e., utilities, etc.)

ADDITIONAL INFORMATION
(attach additional sheets as necessary)

Have you ever applied for or held a license to conduct a similar activity in any other City or State? Yes No
 If yes, please provide details; description, date and location:

Have you ever been denied a license to conduct a similar or like activity or had such licenses suspended, revoked or canceled in any City/State, including Cloquet? Yes No
 If yes, please provide details; description, date and location:

List all names, nicknames and aliases by which you have been known:

List addresses at which you have lived during the preceding five years. Begin with present or last address and work back. Attach additional sheets if necessary.

Street / City / State / Zip Code

Dates at Address:

Street / City / State / Zip Code

Dates at Address:

Name, location and type of every business or occupation you have been engaged in during the preceding five years. Begin with present or last occupation and work back. Attach additional sheets if necessary.

Business or Occupation:
SAPPI

City / State / Zip Code
2201 Avenue B Cloquet MN 55720

Dates at Address:
February 2014 - August 2014

Business or Occupation:
Lighthouse Senior Living - CNA

City / State / Zip Code
705 Horizon Circle Cloquet MN 55720

Dates at Address:
~~January 2011~~ April 2011 - February 2014

Business or Occupation:

City / State / Zip Code

Dates at Address:

I HEREBY UNDERSTAND AND AGREE THAT:

1. Information revealed herein for a Therapeutic Massage Therapist License in the City of Cloquet will be handled by the City in accordance with federal and state laws regarding privacy of criminal records.
2. A criminal conviction will not bar an applicant from obtaining a Therapeutic Massage Therapist License with the City of Cloquet unless such conviction is directly related to the occupation for which the license is sought, according to Minnesota Statutes §364.03.
3. Failure to reveal a criminal conviction will be considered falsification of the application and may be used as grounds for denial of the license.

(I) do hereby swear that I have submitted all of the required documentation as listed above and that the answers in this application are true and correct to the best of my knowledge. I do authorize the City of Cloquet, its agents, and employees, to obtain any necessary information and to conduct an investigation, if necessary, into the truth of the statements set forth in this application and my qualifications for this license. I do understand that providing false information shall be grounds for denial of my license.

Alycia A. Kovach _____ 10-27-17 _____
 Signature of Applicant Date

Print Name Alycia _____ Ann _____ Kovach _____
 First Middle Last

SEND FUTURE APPLICATION RENEWALS TO: Residence Address Business Address

FOR CITY USE ONLY: (When applicable)				
	Signature:	Approved:	Denied:	Date:
Planning:				
Police Chief:				
Fire Dept.:				
Finance Director:				
City Administrator:				

CERTIFICATE OF COMPLETION

This Certifies That

Alycia Kovach

Having Successfully Completed 600 Hours of Instruction in
Massage and Spa Therapy

As Developed and Taught by This Institution and

Thus Having Shown Proficiency is Awarded this Certificate by

The Pebble Spa Institute

229 East Sheridan Street, Ely MN 55731

This 25th Day of March, 2017



Wendy Lundway, CMT
School Director

CERTIFICATE OF TRAINING

Alycia Kovach

HAS SUCCESSFULLY COMPLETED
THE BASICS OF CRANIOSACRAL THERAPY

The Pebble Spa Institute

229 East Sheridan Street, Ely MN 55731

This 25th Day of March, 2017



Wendy Lindsey
School Director



COMMUNITY DEVELOPMENT DEPARTMENT
1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555
www.cloquetmn.gov

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Al Cottingham, City Planner/Zoning Administrator
Reviewed/Approved By: Aaron Reeves, City Administrator *AR*
Date: November 1, 2017

ITEM DESCRIPTION: Zoning Case 17-16: Easement Vacation – Vacating a portion of the East/West Drainage and Utility Easement located South of 2005 Grant Avenue

Proposed Action

The Planning Commission recommends the City Council move to adopt **RESOLUTION NO. 17-86, A RESOLUTION APPROVING THE VACATION OF A PORTION OF THE EAST/WEST DRAINAGE AND UTILITY EASEMENT LYING SOUTH OF 2005 GRANT AVENUE.**

Background/Overview

Nathan Radoush is proposing to vacate a portion of the east/west drainage and utility easement lying south of 2005 Grant Avenue. This request results from a portion of the right-of-way for Grant Avenue, west of 21st Street, being vacated in 2004. The easement was preserved because of utilities located within the right-of-way. Mr. Radoush is proposing to vacate the south 20 feet of the total easement leaving 40 feet of the easement. There are no utilities located within this 20 feet.

The right-of-way for Grant Avenue between 20th Street and 21st Street was vacated at two separate times. In 2002 the westerly portion was vacated along with the utility easement since there were no utilities in this portion of the right-of-way. In 2004 the westerly 100 feet of the easterly portion was vacated, however, a utility easement was maintained over the entire 60 feet because different utilities were located within the right-of-way. These utilities consisted of a gas line, sewer and water lines and a phone line located in a portion of the right-of-way. The gas line has been removed and the other utilities are located in the northern portion of the easement.

It is anticipated that a petition will be submitted to vacate the remainder of Grant Avenue west of 21st Street in the near future. In 2004 when the portion was vacated, Grant Avenue had not been constructed and there was discussion that a temporary cul-de-sac might be constructed, thus a portion of the right-of-way west of 21st Street was preserved.

A Public Hearing was held on Tuesday, October 24, 2017 to consider a possible easement vacation. A legal notice was published in the Pine Journal on October 5, 2017 and affected property owners were sent notices of the public hearing.

To the Mayor and City Council
Vacation of Easement
November 1, 2017
Page 2

Policy Objectives

The purpose of this Vacation application is to ensure that MN State Statute 160.29 and 412.851 are followed in giving up rights to property. There is no formal requirement on determining if an easement should be vacated. It is really up to a common-sense approach as to whether there is currently, or will be in the future, a need for the easement that is being vacated.

Financial/Budget/Grant Considerations

The filing fee for the vacation of an easement is \$350.00. The applicant has paid that fee.

Advisory Committee/Commission Action

The Planning Commission noted this portion of the easement was no longer needed since the utilities had been relocated out of this portion of the property. The Planning Commission has recommended approval of the Vacation on a 3-0 vote.

Supporting Documentation Attached

- Resolution 17-86
- Location Map
- Lot Survey

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

RESOLUTION NO. 17-86

**A RESOLUTION APPROVING THE VACATION OF A PORTION OF THE EAST/WEST
DRAINAGE AND UTILITY EASEMENT LYING SOUTH OF 2005 GRANT AVENUE**

WHEREAS, Nathan Radoush is proposing to vacate a portion of the east/west drainage and utility easement lying south of 2005 Grant Avenue; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and effected property owners have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on October 24, 2017 at which time Zoning Case / Development Review No. 17-16 was heard and discussed; and

WHEREAS, the property of the proposed Drainage and Utility Easement Vacation is located south of 2005 Grant Avenue and is legally described as follows:

The south 20 feet of the vacated portion of Grant Avenue adjacent to Lot 1, Block 4, Southside Addition to Cloquet, Carlton County, Minnesota except the west 10 feet thereof. And,

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

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves of Zoning Case 17-16 for a vacation of a portion of the east/west drainage and utility easement lying south of 2005 Grant Avenue.

PASSED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 7th DAY OF NOVEMBER 2017.

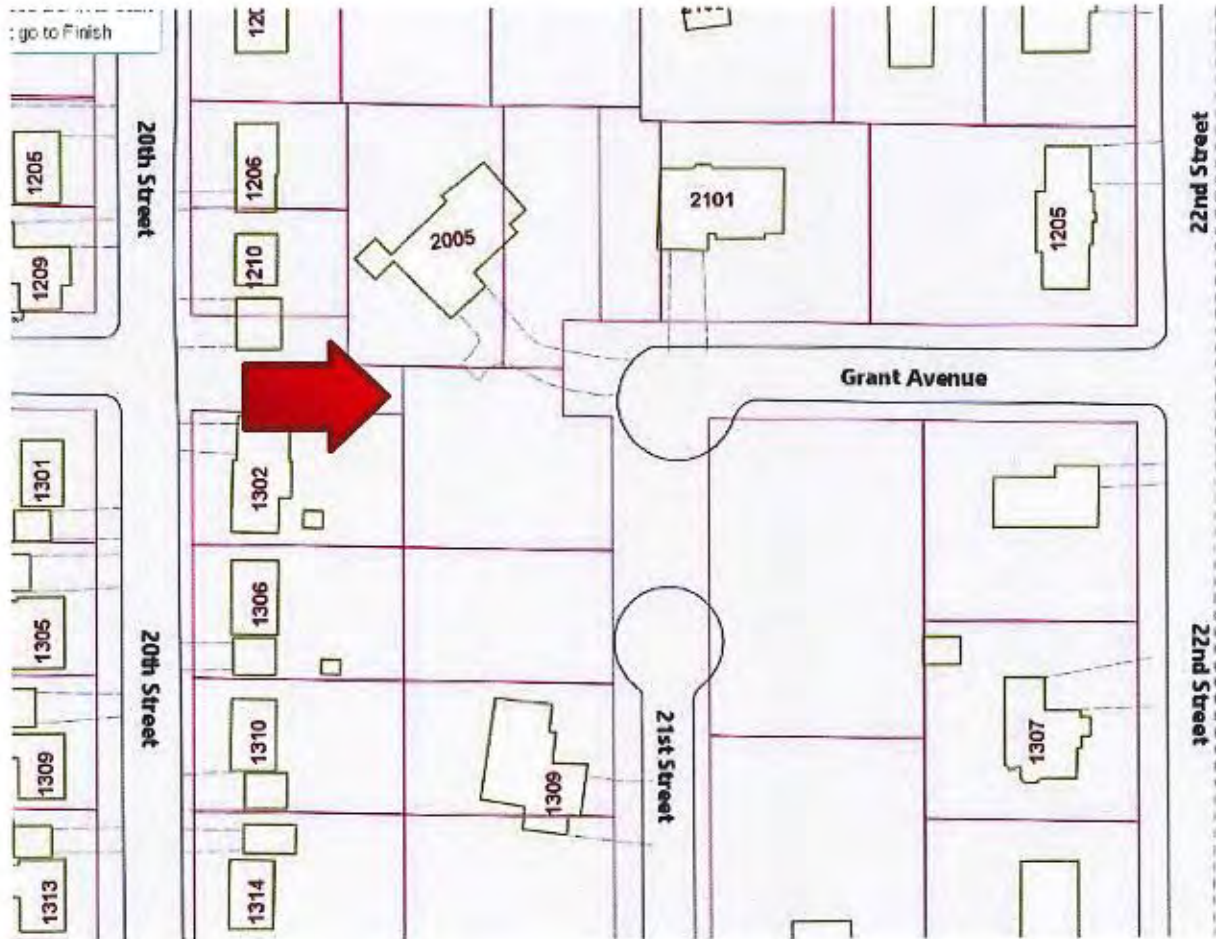
Dave Hallback, Mayor

ATTEST:

Aaron Reeves, City Administrator

Location Map

Radoush



No Scale

SURVEY FOR: REGIONAL REALTY
 ATTN: URIAH WILKINSON
 1219 14TH STREET
 CLOQUET, MN 55720

SURVEY OF: TWO TRACTS IN LOT 1, BLOCK 4,
 AND A PORTION OF THE VACATED
 GRANT AVENUE, "SOUTHSIDE
 ADDITION TO CLOQUET" CARLTON
 COUNTY, MINNESOTA.

RE: RADOUSH HOLDINGS LLC PROPERTY

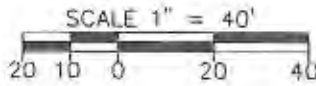
STRAIGHTLINE SURVEYING, INC.

P.O. Box 510, 500 Folz Blvd
 Moose Lake, MN 55767

Telephone: (218)-485-4811
 Fax: (218)-485-4811

E-MAIL: banderson@straightlinesurveying.com

- DENOTES FOUND IRON MONUMENT
- DENOTES 3/4" IRON REBAR MONUMENT SET AND CAPPED "ANDERSON 45498"
- ⊙ DENOTES SANITARY MANHOLE
- △ DENOTES "MAG" NAIL SET
- ▣ DENOTES BITUMINOUS DRIVEWAY
- DENOTES 4' WOOD LATH SET



I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Benjamin H. Anderson 45498 05-25-2016 2016-115 T-49 I P.5
 Benjamin H. Anderson License No. Date Job No. Book No.
 REVISED 06-21-2017 TO SHOW LATH SET AT 10' UTILITY EASEMENT LINE



COMMUNITY DEVELOPMENT DEPARTMENT

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

www.cloquetmn.gov

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Al Cottingham, City Planner/Zoning Administrator
Reviewed/Approved By: Aaron Reeves, City Administrator *AR*
Date: November 1, 2017

ITEM DESCRIPTION: Zoning Case 17-15: Gravel Mining Excavation Permit Renewals for 2018

Proposed Action

The Planning Commission recommends the City Council move to adopt **RESOLUTION NO. 17-87, A RESOLUTION APPROVING SAND AND GRAVEL EXCAVATION PERMIT RENEWALS FOR 2018.**

Background/Overview

All sand and gravel mining and processing operations require an annual excavation permit. The excavation permit is an annual permit issued at the discretion of the City and does not confer or grant a property right. Prior to renewal of these permits, staff visits each pit to examine the conditions to ensure that zoning ordinance requirements are being met. The excavation permits were considered at the regular Planning Commission meeting on October 24, 2017.

Inspections of active gravel mining operations were conducted in October in accordance with Chapter 17 Section 6.20 Subdivision 8 of the Cloquet Zoning Ordinance. Attached the Council will find reports on the annual gravel mine inspections for the four operating within the City.

Upon inspection of the Zack Sand and Gravel Pit it is noted that the approved haul/access road from the pit to the intersection of Stark and Freeman Roads is working very well. Staff has not received any complaints regarding this pit.

The Ulland pit had an asphalt plant located in the pit at various times this summer. Staff did receive complaints about the odor from the asphalt plant on certain days but none about the other operations.

The KGM pit is used primarily for KGM and the wood chip operation for Sappi. They had a large amount of activity from this pit this year. They also had an asphalt plant located in the pit at various times this summer. The City received no complaints on the KGM pit.

The Carlton County pit is used primarily for stockpiling material and not much mining anymore. The millings from different projects have been stored there. The City received no complaints on the County pit.

Policy Objectives

The purpose of the annual excavation permit renewal is to ensure that operations at the gravel mining operations comply with Ordinance requirements.

Financial/Budget/Grant Considerations

The Annual Excavation Permit renewal fee is \$300. An updated bond is required of all applicants along with a questionnaire and on-site inspection by City staff.

Advisory Committee/Commission Action

The Planning Commission has recommended approval of the annual excavation permits for the four sites listed below for 2018, subject to the conditions established with the original permits and the filing of the appropriate bonds as stipulated in the Cloquet Zoning Ordinance on a 4 - 0 vote.

- Abramson Construction, Inc. / KGM (Permits #76-18, 95-2)
- Carlton County Highway Department (Permit #75-3)
- Ulland Brothers, Inc. (Permits #75-1, 75-5, and 79-7)
- Zack Sand and Gravel (Permit #08-01)

Supporting Documentation Attached

- Resolution No. 17-87
- Annual Inspection Checklist

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

RESOLUTION NO. 17-87

**A RESOLUTION APPROVING SAND AND GRAVEL EXCAVATION
PERMIT RENEWALS FOR 2018**

WHEREAS, The following sand and gravel mine operators have submitted requests for renewal of their Excavation and Operating Permits for the year 2018:

- Abramson Construction, Inc. / KGM (Permits #76-18, 95-2)
- Carlton County Highway Department (Permit #75-3)
- Ulland Brothers, Inc. (Permits #75-1, 75-5, and 79-7)
- Zack Sand and Gravel (Permit #08-01); and

WHEREAS, Said renewals were considered at the regular meeting of the Cloquet Planning Commission on October 24, 2017 and Cloquet City Council on November 7, 2017, at which time information was reviewed relative to said renewals, and questions were asked and answered by those gravel mine operator representatives in attendance; and

WHEREAS, No changes were proposed by any of the operators for their operations; and

WHEREAS, The Planning Commission recommended approval to the City Council of these sand and gravel excavation permits finding that renewal is in order for all operations listed above.

NOW, THEREFORE, BE IT RESOLVED, BY THE CLOQUET CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That it approves the renewal of these four sand and gravel mining Excavation Permits, subject to the conditions established with the original permits and the filing of appropriate bonds as stipulated in the Cloquet Zoning Ordinance.

PASSED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 7TH DAY OF NOVEMBER 2017.

Dave Hallback, Mayor

ATTEST:

Aaron Reeves, City Administrator

GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **KGM**

DATE OF INSPECTION: **October 12, 2017** TIME OF DAY: **3:00 pm**

WEATHER CONDITIONS: **Cloudy, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	X	<input type="checkbox"/>	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	<input type="checkbox"/>	<input type="checkbox"/> NA	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	Recyclable materials present over 2 years.

COMMENTS

The KGM pit is owned and operated from the main office in Angora, MN. The property is zoned Heavy Industrial.

Carlson Timber remains active in the pit chipping wood and loading semi trucks to haul the wood chips to Sappi. Very active with chips being brought in and being hauled out.

KGM had a fair amount of activity this year from their pit. The major pit faces have been worked this year with over 49,000 cubic yards removed by the end of August with lots of material still being hauled out.





GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Carlton County – Airport Road**

DATE OF INSPECTION: **October 12, 2017** TIME OF DAY: **2:30 pm**

WEATHER CONDITIONS: **Cloudy, 55 degrees, early fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	<input type="checkbox"/>	<input type="checkbox"/> NA	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	<input type="checkbox"/>	<input type="checkbox"/> NA	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	Recyclable materials present over 2 years.

COMMENTS

There was little activity in the County pit this year with approximately 5,000 cubic yards of material being removed. There is a security gate at Airport Road that is used as required, the FDL Reservation Pit is adjacent and to the direct east of this pit. They use this pit for County Road projects in the area and will stockpile blacktop from some of the road projects for use in the future.





GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Ulland Sand and Gravel Pit**

DATE OF INSPECTION: **October 12, 2017** TIME OF DAY: **2:45 pm**

WEATHER CONDITIONS: **Cloudy, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	X	<input type="checkbox"/>	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	<input type="checkbox"/>	NA	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	Recyclable materials present over 2 years.

COMMENTS

The Ulland Pit is located south of I-35 and west of Hwy 45. The property is zoned Heavy Industrial.

They have had an asphalt plant set up in June and then beginning in mid-September in the pit. They had removed approximately 28,000 tons of material from the site through mid-September. They noted it is difficult to identify the amount of material that will leave the pit next year since they do not have any contracts yet.







GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Zack Sand and Gravel – Stark Road**

DATE OF INSPECTION: **October 12, 2017** TIME OF DAY: **2:15 pm**

WEATHER CONDITIONS: **Cloudy, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

	OK	Not OK	
1.	X	<input type="checkbox"/>	Steep slopes (1:1 or greater) protected.
2.	X	<input type="checkbox"/>	Security gate installed and used.
3.	X	<input type="checkbox"/>	Operating hours honored.
4.	X	<input type="checkbox"/>	Inactive slopes maintained.
5.	X	<input type="checkbox"/>	Setbacks satisfactory (old @ 200' res.; 50' non-res.).
6.	X	<input type="checkbox"/>	Stockpiles @ 500' (100' non-res.); height @ 40'.
7.	X	<input type="checkbox"/>	Excavation @ 500' (100' non-res.).
8.	<input type="checkbox"/>	<input type="checkbox"/> NA	Asphalt plant @ 2,600' (1,000' non-res.; 500' old).
9.	<input type="checkbox"/>	<input type="checkbox"/> NA	Crushing plant on pit floor.
10.	X	<input type="checkbox"/>	Erosion/drainage controlled; no standing water.
11.	X	<input type="checkbox"/>	Dust control.
12.	X	<input type="checkbox"/>	Level bottom in non-active areas.
13.	X	<input type="checkbox"/>	Noise levels not exceeded.
14.	X	<input type="checkbox"/>	Reclamation of mined-out sections.
15.	X	<input type="checkbox"/>	Recyclable materials present over 2 years.

COMMENTS

The Zack Sand and Gravel pit is located behind the Cloquet Business Park off of Stark Road. This property is zoned Farm Residential.

Mr. Zack reports this has been a pretty good year. They have removed approximately 10,000 cubic yards of material so far this. The access road is in great shape with a little slope work needing to be done. We have received no complaints on the operations.







DEPARTMENT OF PUBLIC WORKS

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

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, Public Works Director
Reviewed by: Aaron Reeves, City Administrator *AR*
Date: November 7, 2017

ITEM DESCRIPTION: Resolution Approving Agreement No. 1029428 with the Minnesota Department of Transportation

Proposed Action

Staff recommends the City Council adopt **RESOLUTION 17-90, APPROVING COOPERATIVE CONSTRUCTION AGREEMENT NO. 1029428 WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION REGARDING STATE PROJECT NO. 0905-54 ON TRUNK HIGHWAY 33.**

Background/Overview

Mn/DOT is currently working to prepare bid documents for a planned project along Highway 33 at Interstate 35. The project involves replacement of the existing intersection of TH 33, the Interstate 35 ramps and the west frontage road with a roundabout.

As part of the planned improvements, the State has identified the frontage road to be under the jurisdiction of the City of Cloquet. The project cost attributable to the frontage road would typically be paid by the City of Cloquet, however the City obtained funding through MnDOT SEC164 which will cover any City costs associated with the project.

As part of this Cooperative Agreement, the City is agreeing to maintain the Frontage Road west access to the roundabout. This maintenance includes, but is not limited to, snow, ice and debris removal, resurfacing, seal coating, and any other maintenance activities according to accepted City maintenance practices.

Policy Objectives

To work cooperatively with other State and Federal agencies on such projects of mutual interest.

Financial Impacts

There are no construction costs to the City as part of this construction project. The City will continue to be financially responsible for maintenance cost on the west frontage road as we have been prior to this project.

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- Resolution 17-90
- Agency Cooperative Agreement No. 1029428
- Schedule I - Local cost covered by MnDOT SEC164 funding

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

RESOLUTION NO. 17- 90

RESOLUTION APPROVING COOPERATIVE CONSTRUCTION AGREEMENT NO. 1029428 WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION REGARDING STATE PROJECT NO. 0905-54 (T.H. 33).

WHEREAS, the State plans to let a contract to construct State Project Number 0905-54 on Trunk Highway Number 33; and

WHEREAS, the West Frontage Road is under the jurisdiction of the City of Cloquet; and

WHEREAS, the Project will require the adjustment of the City's roadway; and

WHEREAS, the City has requested the State make such adjustment to the West Frontage Road as part of their Project in order to coordinate the improvement.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that the City of Cloquet enter into MnDOT Agreement No. 1029428 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the City to the State of the City's share of the costs of the Frontage Road construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 33 from Trunk Highway No. 35 and southbound Trunk Highway No. 33 Entrance Ramp to 500 feet north of the Frontage Road within the corporate City limits under State Project No. 0905-54 (T.H. 33=055) and No. 112-070-001.

BE IT FURTHER RESOLVED that the Mayor and City Administrator are authorized and directed to execute the Agreement and any amendments to the Agreement on behalf of the City.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 7th DAY OF NOVEMBER 2017.

ATTEST:

Dave Hallback, Mayor

Aaron Reeves, City Administrator

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
And
CITY OF CLOQUET
COOPERATIVE CONSTRUCTION
AGREEMENT**

State Project Number (S.P.):	<u>0905-54</u>	Estimated MnDOT SEC164 Amount
Trunk Highway Number (T.H.):	<u>33=055</u>	<u>\$150,940.36</u>
State Project Number (S.P.):	<u>112-070-001</u>	
Federal Project Number:	<u>HSIP 0918(100)</u>	Estimated City Amount Receivable
		<u>\$0.00</u>

This Agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("State") and City of Cloquet acting through its City Council ("City").

Recitals

1. The State will perform roundabout, grading, concrete and bituminous paving, ADA improvements and lighting construction and other associated construction upon, along and adjacent to Trunk Highway (T.H.) No. 33 from Trunk Highway No. 35 and southbound Trunk Highway No. 33 Entrance Ramp to 500 feet north of the Frontage Road according to State-prepared plans, specifications and special provisions designated by the State as State Project No. 0905-54 (T.H. 33=055) ("Project"); and
2. The City has requested the State include in its Project Frontage Road construction; and
3. The City wishes to participate in the costs of the Frontage Road construction and associated construction engineering; and
4. Federal MnDOT SEC 164 funds are available for the City's share of the construction and construction engineering; and
5. Minnesota Statutes § 161.20, subdivision 2 authorizes the Commissioner of Transportation to make arrangements with and cooperate with any governmental authority for the purposes of constructing, maintaining and improving the trunk highway system.

Agreement

1. Term of Agreement; Survival of Terms; Plans; Incorporation of Exhibits

- 1.1. **Effective Date.** This Agreement will be effective on the date the State obtains all signatures required by Minnesota Statutes § 16C.05, subdivision 2.
- 1.2. **Expiration Date.** This Agreement will expire when all obligations have been satisfactorily fulfilled.
- 1.3. **Survival of Terms.** All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this Agreement, including, without limitation, the following clauses: 3. Maintenance by the City; 8. Liability; Worker Compensation Claims; 10. State Audits; 11. Government Data Practices; 12. Governing Law; Jurisdiction; Venue; and 14. Force Majeure.
- 1.4. **Plans, Specifications, Special Provisions.** Plans, specifications and special provisions designated by the State as State Project No. 0905-54 (T.H. 33=055) are on file in the office of the Commissioner of Transportation at St. Paul, Minnesota, and incorporated into this Agreement by reference ("Project Plans").
- 1.5. **Exhibits.** Preliminary Schedule "I" is on file in the office of the City Engineer and incorporated into this Agreement by reference.

2. Construction by the State

2.1. Contract Award. The State will advertise for bids and award a construction contract to the lowest responsible bidder according to the Project Plans.

2.2. Direction, Supervision and Inspection of Construction.

- A. Supervision and Inspection by the State.** The State will direct and supervise all construction activities performed under the construction contract, and perform all construction engineering and inspection functions in connection with the contract construction. All contract construction will be performed according to the Project Plans.
- B. Inspection by the City.** The City participation construction covered under this Agreement will be open to inspection by the City. If the City believes the City participation construction covered under this Agreement has not been properly performed or that the construction is defective, the City will inform the State District Engineer's authorized representative in writing of those defects. Any recommendations made by the City are not binding on the State. The State will have the exclusive right to determine whether the State's contractor has satisfactorily performed the City participation construction covered under this Agreement.

2.3. Plan Changes, Additional Construction, Etc.

- A.** The State will make changes in the Project Plans and contract construction, which may include the City participation construction covered under this Agreement, and will enter into any necessary addenda and change orders with the State's contractor that are necessary to cause the contract construction to be performed and completed in a satisfactory manner. The State District Engineer's authorized representative will inform the appropriate City official of any proposed addenda and change orders to the construction contract that will affect the City participation construction covered under this Agreement.
- B.** The City may request additional work or changes to the work in the plans as part of the construction contract. Such request will be made by an exchange of letter(s) with the State. If the State determines that the requested additional work or plan changes are necessary or desirable and can be accommodated without undue disruption to the project, the State will cause the additional work or plan changes to be made.

2.4. Satisfactory Completion of Contract. The State will perform all other acts and functions necessary to cause the construction contract to be completed in a satisfactory manner.

3. Maintenance by the City

Upon completion of the project, the City will provide the following without cost or expense to the State

3.1. Roadways. Maintenance of Frontage Road west access to the roundabout. Maintenance includes, but is not limited to, snow, ice and debris removal, resurfacing and seal coating and any other maintenance activities according to accepted City maintenance practices.

4. Basis of City Cost

4.1. Schedule "I". The Preliminary Schedule "I" includes all anticipated City participation construction items and the construction engineering cost share covered under this Agreement, and is based on engineer's estimated unit prices.

4.2. City Participation Construction. The City will participate in the following at the percentages indicated. The construction includes the City's proportionate share of item costs for as built, mobilization, combination field laboratory-office and traffic control.

- A.** 100 Percent minus MnDOT SEC164 will be the City's rate of cost participation in all of the construction items tabulated on Sheets No. 2 through No. 4 of the Preliminary Schedule "I".

4.3. Construction Engineering Costs. The City will pay a construction engineering charge equal to 8 percent of the total City participation construction covered under this Agreement. MnDOT SEC 164 funds will be applied to the construction engineering.

4.4. Plan Changes, Additional Construction, Etc. The City will share in the costs of construction contract addenda and change orders that are necessary to complete the City participation construction covered under this Agreement, including any City requested additional work and plan changes.

The State reserves the right to invoice the City for the cost of any additional City requested work and plan changes, construction contract addenda, change orders and associated construction engineering before the completion of the contract construction.

4.5. Liquidated Damages. All liquidated damages assessed the State's contractor in connection with the construction contract will result in a credit shared by each party in the same proportion as their total construction cost share covered under this Agreement is to the total contract construction cost before any deduction for liquidated damages.

5. City Cost and Payment by the City

5.1. City Cost. \$150,940.36 minus MnDOT SEC164 funding is the City's estimated share of the costs of the contract construction and the 8 percent construction engineering cost share as shown in the Preliminary Schedule "I". The Preliminary Schedule "I" was prepared using estimated quantities and unit prices, and may include any credits or lump sum costs. Upon award of the construction contract, the State will prepare a Revised Schedule "I" based on construction contract unit prices, which will replace and supersede the Preliminary Schedule "I" as part of this Agreement.

5.2. Final Payment, Additional City Requested Work. Upon completion of all contract construction and upon computation of the final amount due the State's contractor, and only if additional work has been requested under article 2.3B of this agreement, the State will prepare a Final Schedule "I" and submit a copy to the City. The Final Schedule "I" will be based on final quantities of any additional City requested participation construction items and the construction engineering cost share due to additional requested work. The computation by the State of the amount due from the City will be final, binding, and conclusive.

The State and the City waive claims for any payments or refunds less than \$5.00 according to Minnesota Statutes § 15.415.

6. Authorized Representatives

Each party's Authorized Representative is responsible for administering this Agreement and is authorized to give and receive any notice or demand required or permitted by this Agreement.

6.1. The State's Authorized Representative will be:

Name/Title: Maryanne Kelly-Sonnek, Cooperative Agreements Engineer (or successor)
 Address: 395 John Ireland Boulevard, Mailstop 682, St. Paul, MN 55155
 Telephone: (651) 366-4634
 E-Mail: maryanne.kellysonnek@state.mn.us

6.2. The City's Authorized Representative will be:

Name/Title: Caleb Peterson, City Engineer (or successor)
 Address: 1307 Cloquet Avenue, Cloquet, MN 55720
 Telephone: (218) 879-6758
 E-Mail: cpeterson@ci.cloquet.mn.us

7. Assignment; Amendments; Waiver; Contract Complete

- 7.1. Assignment.** Neither party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other party and a written assignment agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office.
- 7.2. Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 7.3. Waiver.** If a party fails to enforce any provision of this Agreement, that failure does not waive the provision or the party's right to subsequently enforce it.
- 7.4. Contract Complete.** This Agreement contains all prior negotiations and agreements between the State and the City. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

8. Liability; Worker Compensation Claims

- 8.1.** Each party is responsible for its own acts, omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of others and the results thereof. Minnesota Statutes § 3.736 and other applicable law govern liability of the State. Minnesota Statutes Chapter 466 and other applicable law govern liability of the City.
- 8.2.** Each party is responsible for its own employees for any claims arising under the Workers Compensation Act.

9. Nondiscrimination

Provisions of Minnesota Statutes § 181.59 and of any applicable law relating to civil rights and discrimination are considered part of this Agreement.

10. State Audits

Under Minnesota Statutes § 16C.05, subdivision 5, the City's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the State and the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this Agreement.

11. Government Data Practices

The City and State must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided under this Agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the City under this Agreement. The civil remedies of Minnesota Statutes § 13.08 apply to the release of the data referred to in this clause by either the City or the State.

12. Governing Law; Jurisdiction; Venue

Minnesota law governs the validity, interpretation and enforcement of this Agreement. Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey City, Minnesota.

13. Termination; Suspension

- 13.1. By Mutual Agreement.** This Agreement may be terminated by mutual agreement of the parties.
- 13.2. Termination for Insufficient Funding.** The State may immediately terminate this Agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the performance of contract construction under the Project. Termination must be by written or fax notice to the City.

13.3. Suspension. In the event of a total or partial government shutdown, the State may suspend this Agreement and all work, activities and performance of work authorized through this Agreement.

14. Force Majeure

Neither party will be responsible to the other for a failure to perform under this Agreement (or a delay in performance), if such failure or delay is due to a force majeure event. A force majeure event is an event beyond a party's reasonable control, including but not limited to, unusually severe weather, fire, floods, other acts of God, labor disputes, acts of war or terrorism, or public health emergencies.

[The remainder of this page has been intentionally left blank]

CITY OF CLOQUET

The undersigned certify that they have lawfully executed this contract on behalf of the Governmental Unit as required by applicable charter provisions, resolutions or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

Recommended for Approval:

By: _____
(District Engineer)

Date: _____

Approved:

By: _____
(State Design Engineer)

Date: _____

COMMISSIONER OF ADMINISTRATION

By: _____
(With Delegated Authority)

Date: _____

INCLUDE COPY OF RESOLUTION APPROVING THE AGREEMENT AND AUTHORIZING ITS EXECUTION.

Mk-S

PRELIMINARY SCHEDULE "I"

Agreement No. 1029428

City of Cloquet

S.P. 0905-54 (T.H. 33=055)

Preliminary: October 2, 2017

S.P. 112-070-001

Fed. Proj. HSIP 0918(100)

Rundabout, grading, concrete, and bituminous paving, ADA improvements and lighting construction to start approximately 03/15/2017 under State Contract No. _____ with located on T.H. 33 in the City of Cloquet.

CITY COST PARTICIPATION	
From Sheet No. 4	139,759.59
Construction Engineering (8%)	11,180.77
Total	150,940.36
MnDOT SEC164 HSIP Funding	150,940.36
(1) Total City Cost obligation minus MnDOT SEC164 HSIP	\$0.00

(1) Amount of advance payment as described in Article 5.1 of the agreement (estimated amount)

(P) = PLAN QUANTITY

ITEM NUMBER	S.P. 0905-54, 112-070-001 WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (1)
2011.601	AS BUILT	LUMP SUM	0.07	4,000.00	280.00
2021.501	MOBILIZATION	LUMP SUM	0.07	93,000.00	6,510.00
2031.602	COMBINATION FIELD LABORATORY-OFFICE	EACH	0.07	10,000.00	700.00
2051.501	MAINT & RESTORATION OF HAUL ROADS	LUMP SUM	0.07	100.00	7.00
2104.501	REMOVE FENCE	LIN FT	64.00	10.00	640.00
2104.501	REMOVE NON-METALLIC CONDUIT (P)	LIN FT	62.00	4.00	248.00
2104.501	REMOVE DIRECT BURIED LIGHTING CABLE (P)	LIN FT	188.00	4.00	752.00
2104.505	REMOVE CONCRETE PAVEMENT (P)	SQ YD	63.00	8.50	535.50
2104.505	REMOVE BITUMINOUS PAVEMENT (P)	SQ YD	1,256.00	4.00	5,024.00
2104.509	REMOVE SIGN TYPE C	EACH	2.00	35.00	70.00
2104.509	REMOVE MAIL BOX SUPPORT	EACH	1.00	25.00	25.00
2104.511	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LIN FT	34.00	3.00	102.00
2104.513	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	359.00	2.00	718.00
2104.523	SALVAGE LIGHT STANDARD	EACH	1.00	180.00	180.00
2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	1,226.00	2.75	3,371.50
2106.501	EXCAVATION - COMMON (P)	CU YD	573.00	6.50	3,724.50
2106.507	EXCAVATION - SUBGRADE (P)	CU YD	466.00	6.00	2,796.00
2106.522	SELECT GRANULAR EMBANKMENT MOD 7% (CV) (P)	CU YD	501.00	15.00	7,515.00
2106.523	COMMON EMBANKMENT (CV) (P)	CU YD	318.00	5.50	1,749.00
2118.502	AGGREGATE SURFACING (LV), CLASS 1	CU YD	22.00	26.00	572.00
2123.51	12 CU YD TRUCK	HOUR	1.00	110.00	110.00
2123.61	CRAWLER MOUNTED BACKHOE	HOUR	1.00	225.00	225.00
2211.503	AGGREGATE BASE (CV) CLASS 6 (P)	CU YD	225.00	33.00	7,425.00
2221.503	SHOULDER BASE AGGREGATE (CV) CLASS 6 (P)	CU YD	7.00	35.00	245.00
2301.504	CONCRETE PAVEMENT 8.0" (P)	SQ YD	278.00	60.00	16,680.00
2301.538	DOWEL BAR	EACH	126.00	8.50	1,071.00
2301.602	DRILL & GROUT DOWEL BAR (EPOXY COATED)	EACH	32.00	20.00	640.00
2357.606	BITUMINOUS MATERIAL FOR SHOULDER TACK	GALLON	18.00	3.00	54.00
2360.501	TYPE SP 9.5 WEARING COURSE MIX (4,C)	TON	186.00	58.00	10,788.00
2501.515	15" RC PIPE APRON	EACH	1.00	650.00	650.00
2502.501	4" PRECAST CONCRETE HEADWALL	EACH	2.00	160.00	320.00
2502.521	4" PE PIPE DRAIN	LIN FT	26.00	5.00	130.00
2502.541	4" PERF PE PIPE DRAIN	LIN FT	462.00	5.50	2,541.00
2503.541	15" RC PIPE SEWER DESIGN 3006	LIN FT	31.00	34.00	1,054.00

(P) = PLAN QUANTITY

ITEM NUMBER	S.P. 0905-54, 112-070-001 WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (1)
2506.501	CONSTRUCT DRAINAGE STRUCTURE DESIGN G	LIN FT	4.60	340.00	1,564.00
2506.516	CASTING ASSEMBLY	EACH	1.00	900.00	900.00
2507.501	LINING CULVERT PIPE 36"	LIN FT	60.00	165.00	9,900.00
2521.501	4" CONCRETE WALK	SQ FT	764.00	5.00	3,820.00
2521.501	6" CONCRETE WALK	SQ FT	438.00	9.00	3,942.00
2531.501	CONCRETE CURB & GUTTER DESIGN B624	LIN FT	204.00	25.00	5,100.00
2531.618	TRUNCATED DOMES	SQ FT	58.00	40.00	2,320.00
2540.602	MAIL BOX SUPPORT	EACH	1.00	135.00	135.00
2545.511	LIGHTING UNIT TYPE 9-40	EACH	3.00	2,800.00	8,400.00
2545.515	LIGHT FOUNDATION DESIGN E MODIFIED	EACH	3.00	900.00	2,700.00
2545.523	4" NON-METALLIC CONDUIT	LIN FT	61.00	17.00	1,037.00
2545.533	DIRECT BURIED LIGHTING CABLE 4 COND NO 4	LIN FT	530.00	9.00	4,770.00
2554.602	GUIDE POST TYPE SPECIAL	EACH	3.00	70.00	210.00
2563.601	TRAFFIC CONTROL	LUMP SUM	0.07	56,000.00	3,920.00
2564.531	SIGN PANELS TYPE C	SQ FT	78.00	31.00	2,418.00
2564.531	SIGN PANELS TYPE D	SQ FT	10.00	31.00	310.00
2573.502	SILT FENCE, TYPE HI	LIN FT	354.00	3.50	1,239.00
2573.53	STORM DRAIN INLET PROTECTION	EACH	1.00	175.00	175.00
2573.533	SEDIMENT CONTROL LOG TYPE COMPOST	LIN FT	114.00	3.70	421.80
2573.561	CULVERT END CONTROLS	EACH	1.00	200.00	200.00
2574.508	FERTILIZER TYPE 1	POUND	149.00	0.70	104.30
2574.508	FERTILIZER TYPE 3	POUND	17.00	0.70	11.90
2574.578	SOIL BED PREPARATION (P)	ACRE	1.00	130.00	130.00
2575.501	SEEDING (P)	ACRE	0.90	200.00	180.00
2575.502	SEED MIXTURE 21-111	POUND	15.00	1.65	24.75
2575.502	SEED MIXTURE 21-112	POUND	15.00	2.00	30.00
2575.502	SEED MIXTURE 25-141	POUND	9.00	4.00	36.00
2575.502	SEED MIXTURE 32-241	POUND	6.00	10.00	60.00
2575.502	SEED MIXTURE 33-361	POUND	5.00	33.00	165.00
2575.511	MULCH MATERIAL TYPE 1	TON	0.90	150.00	135.00
2575.511	MULCH MATERIAL TYPE 3	TON	0.80	350.00	280.00
2575.519	DISK ANCHORING	ACRE	0.90	100.00	90.00
2575.523	EROSION CONTROL BLANKETS CATEGORY 0	SQ YD	902.00	1.50	1,353.00
2575.523	EROSION CONTROL BLANKETS CATEGORY 3N	SQ YD	296.00	1.50	444.00

PRELIMINARY SCHEDULE "I"

Agreement No. 1029428

City of Cloquet

S.P. 0905-54 (T.H. 33=055)

Preliminary: October 2, 2017

S.P. 112-070-001

Fed. Proj. HSIP 0918(100)

Rundabout, grading, concrete, and bituminous paving, ADA improvements and lighting construction to start approximately 03/15/2017 under State Contract No. _____ with _____ located on T.H. 33 in the City of Cloquet.

CITY COST PARTICIPATION

From Sheet No. 4	139,759.59
Construction Engineering (8%)	11,180.77
Total	150,940.36
MnDOT SEC164 HSIP Funding	150,940.36
(1) Total City Cost obligation minus MnDOT SEC164 HSIP	\$0.00

(1) Amount of advance payment as described in Article 5.1 of the agreement (estimated amount)

(P) = PLAN QUANTITY

ITEM NUMBER	S.P. 0905-54, 112-070-001 WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (1)
2011.601	AS BUILT	LUMP SUM	0.07	4,000.00	280.00
2021.501	MOBILIZATION	LUMP SUM	0.07	93,000.00	6,510.00
2031.602	COMBINATION FIELD LABORATORY-OFFICE	EACH	0.07	10,000.00	700.00
2051.501	MAINT & RESTORATION OF HAUL ROADS	LUMP SUM	0.07	100.00	7.00
2104.501	REMOVE FENCE	LIN FT	64.00	10.00	640.00
2104.501	REMOVE NON-METALLIC CONDUIT (P)	LIN FT	62.00	4.00	248.00
2104.501	REMOVE DIRECT BURIED LIGHTING CABLE (P)	LIN FT	188.00	4.00	752.00
2104.505	REMOVE CONCRETE PAVEMENT (P)	SQ YD	63.00	8.50	535.50
2104.505	REMOVE BITUMINOUS PAVEMENT (P)	SQ YD	1,256.00	4.00	5,024.00
2104.509	REMOVE SIGN TYPE C	EACH	2.00	35.00	70.00
2104.509	REMOVE MAIL BOX SUPPORT	EACH	1.00	25.00	25.00
2104.511	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LIN FT	34.00	3.00	102.00
2104.513	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	359.00	2.00	718.00
2104.523	SALVAGE LIGHT STANDARD	EACH	1.00	180.00	180.00
2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	1,226.00	2.75	3,371.50
2106.501	EXCAVATION - COMMON (P)	CU YD	573.00	6.50	3,724.50
2106.507	EXCAVATION - SUBGRADE (P)	CU YD	466.00	6.00	2,796.00
2106.522	SELECT GRANULAR EMBANKMENT MOD 7% (CV) (P)	CU YD	501.00	15.00	7,515.00
2106.523	COMMON EMBANKMENT (CV) (P)	CU YD	318.00	5.50	1,749.00
2118.502	AGGREGATE SURFACING (LV), CLASS 1	CU YD	22.00	26.00	572.00
2123.51	12 CU YD TRUCK	hour	1.00	110.00	110.00
2123.61	CRAWLER MOUNTED BACKHOE	hour	1.00	225.00	225.00
2211.503	AGGREGATE BASE (CV) CLASS 6 (P)	CU YD	225.00	33.00	7,425.00
2221.503	SHOULDER BASE AGGREGATE (CV) CLASS 6 (P)	CU YD	7.00	35.00	245.00
2301.504	CONCRETE PAVEMENT 8.0" (P)	SQ YD	278.00	60.00	16,680.00
2301.538	DOWEL BAR	EACH	126.00	8.50	1,071.00
2301.602	DRILL & GROUT DOWEL BAR (EPOXY COATED)	EACH	32.00	20.00	640.00
2357.606	BITUMINOUS MATERIAL FOR SHOULDER TACK	GALLON	18.00	3.00	54.00
2360.501	TYPE SP 9.5 WEARING COURSE MIX (4,C)	TON	186.00	58.00	10,788.00
2501.515	15" RC PIPE APRON	EACH	1.00	650.00	650.00
2502.501	4" PRECAST CONCRETE HEADWALL	EACH	2.00	160.00	320.00
2502.521	4" PE PIPE DRAIN	LIN FT	26.00	5.00	130.00
2502.541	4" PERF PE PIPE DRAIN	LIN FT	462.00	5.50	2,541.00
2503.541	15" RC PIPE SEWER DESIGN 3006	LIN FT	31.00	34.00	1,054.00

(P) = PLAN QUANTITY

ITEM NUMBER	S.P. 0905-54, 112-070-001 WORK ITEM	UNIT	QUANTITY	UNIT PRICE	COST (1)
2506.501	CONSTRUCT DRAINAGE STRUCTURE DESIGN G	LIN FT	4.60	340.00	1,564.00
2506.516	CASTING ASSEMBLY	EACH	1.00	900.00	900.00
2507.501	LINING CULVERT PIPE 36"	LIN FT	60.00	165.00	9,900.00
2521.501	4" CONCRETE WALK	SQ FT	764.00	5.00	3,820.00
2521.501	6" CONCRETE WALK	SQ FT	438.00	9.00	3,942.00
2531.501	CONCRETE CURB & GUTTER DESIGN B624	LIN FT	204.00	25.00	5,100.00
2531.618	TRUNCATED DOMES	SQ FT	58.00	40.00	2,320.00
2540.602	MAIL BOX SUPPORT	EACH	1.00	135.00	135.00
2545.511	LIGHTING UNIT TYPE 9-40	EACH	3.00	2,800.00	8,400.00
2545.515	LIGHT FOUNDATION DESIGN E MODIFIED	EACH	3.00	900.00	2,700.00
2545.523	4" NON-METALLIC CONDUIT	LIN FT	61.00	17.00	1,037.00
2545.533	DIRECT BURIED LIGHTING CABLE 4 COND NO 4	LIN FT	530.00	9.00	4,770.00
2554.602	GUIDE POST TYPE SPECIAL	EACH	3.00	70.00	210.00
2563.601	TRAFFIC CONTROL	LUMP SUM	0.07	56,000.00	3,920.00
2564.531	SIGN PANELS TYPE C	SQ FT	78.00	31.00	2,418.00
2564.531	SIGN PANELS TYPE D	SQ FT	10.00	31.00	310.00
2573.502	SILT FENCE, TYPE HI	LIN FT	354.00	3.50	1,239.00
2573.53	STORM DRAIN INLET PROTECTION	EACH	1.00	175.00	175.00
2573.533	SEDIMENT CONTROL LOG TYPE COMPOST	LIN FT	114.00	3.70	421.80
2573.561	CULVERT END CONTROLS	EACH	1.00	200.00	200.00
2574.508	FERTILIZER TYPE 1	POUND	149.00	0.70	104.30
2574.508	FERTILIZER TYPE 3	POUND	17.00	0.70	11.90
2574.578	SOIL BED PREPARATION	(P) ACRE	1.00	130.00	130.00
2575.501	SEEDING	(P) ACRE	0.90	200.00	180.00
2575.502	SEED MIXTURE 21-111	POUND	15.00	1.65	24.75
2575.502	SEED MIXTURE 21-112	POUND	15.00	2.00	30.00
2575.502	SEED MIXTURE 25-141	POUND	9.00	4.00	36.00
2575.502	SEED MIXTURE 32-241	POUND	6.00	10.00	60.00
2575.502	SEED MIXTURE 33-361	POUND	5.00	33.00	165.00
2575.511	MULCH MATERIAL TYPE 1	TON	0.90	150.00	135.00
2575.511	MULCH MATERIAL TYPE 3	TON	0.80	350.00	280.00
2575.519	DISK ANCHORING	ACRE	0.90	100.00	90.00
2575.523	EROSION CONTROL BLANKETS CATEGORY 0	SQ YD	902.00	1.50	1,353.00
2575.523	EROSION CONTROL BLANKETS CATEGORY 3N	SQ YD	296.00	1.50	444.00

CITY OF CLOQUET

RESOLUTION

IT IS RESOLVED that the City of Cloquet enter into MnDOT Agreement No. 1029428 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the City to the State of the City's share of the costs of the Frontage Road construction and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 33 from Trunk Highway No. 35 and southbound Trunk Highway No. 33 Entrance Ramp to 500 feet north of the Frontage Road within the corporate City limits under State Project No. 0905-54 (T.H. 33=055) and No. 112-070-001.

IT IS FURTHER RESOLVED that the Mayor and the _____ are
(Title)
authorized to execute the Agreement and any amendments to the Agreement.

CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Council of the City of Cloquet at an authorized meeting held on the _____ day of _____, 2017, as shown by the minutes of the meeting in my possession.

(Signature)

(Type or Print Name)

(Title)

Subscribed and sworn to before me this
_____ day of _____, 2017

Notary Public _____

My Commission Expires _____

NOTARY
STAMP