

Regular Meeting

Roll Call

Councilors Present: Bjerckness, Langley, Maki, Mayor Hallback

Councilors Absent: Bailey, Kolodge, Rock

Pledge of Allegiance

AGENDA

MOTION: Councilor Bjerckness moved and Councilor Langley seconded the motion to approve the March 21, 2017 agenda. The motion carried unanimously (4-0).

MINUTES

MOTION: Councilor Langley moved and Councilor Maki seconded the motion to approve the minutes of the Work Session and Regular Meeting of March 7, 2017, and the Special Emergency Meeting of March 16, 2017. The motion carried unanimously (4-0).

CONSENT AGENDA

MOTION: Councilor Maki moved and Councilor Bjerckness seconded the motion to adopt the consent agenda of March 21, 2017 approving the necessary motions and resolutions. The motion carried unanimously (4-0).

- a. Resolution No. 17-25, Authorizing the Payment of Bills
- b. 4th of July Outdoor Public Fireworks Display Contract – Pyrotechnic Display, Inc.

PUBLIC HEARING

Mayor Hallback announced that now is the time and place for the public hearing on the proposed assessments for the reconstruction of 3rd Street from Cloquet Avenue to Carlton Avenue, including the replacement of existing sanitary sewer and water mains. City Engineer Peterson reviewed the cost of the project and the proposed assessments. With no questions or comments from the Council or public, the hearing was closed.

MOTION: Councilor Bjerckness and Councilor Langley seconded the motion to adopt **RESOLUTION NO. 17-25, RESOLUTION ADOPTING ASSESSMENTS FOR THE IMPROVEMENT OF 3RD STREET FROM CLOQUET AVENUE TO CARLTON AVENUE.** The motion carried unanimously (4-0).

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

WHEREAS, The Cloquet City Council on March 2, 2016, held a hearing to consider the improvement of this section of 3rd Street; and

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

WHEREAS, Due notice was given that said special assessments would be considered by the City Council at its meeting to be held on March 21, 2017, and at said meeting and time all parties interested were given an opportunity to be heard; and

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

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

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

the improvement in the amount of the assessment levied against it.

2. Said assessments shall be payable in equal annual installments extending over a period of ten (10) years and shall bear interest at a rate of four percent (4%) per annum from April 20, 2017. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to April 20, 2017. Any principal not paid by November 30th of each year, will be certified along with accrued interest to the Carlton County Auditor for collection with the Real Estate Taxes payable over the period stated above.

PRESENTATIONS

There were none.

CITY CODE SECTIONS 6.2 AND 6.3 – SALE OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR ON SUNDAYS

MOTION: Councilor Bjerkness moved and Councilor Maki seconded the motion to adopt **ORDINANCE NO. 463A, AN ORDINANCE AMENDING SECTIONS 6.2 AND 6.3 OF THE MUNICIPAL CODE AS IT RELATES TO THE SALE OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR ON SUNDAYS.** The motion carried unanimously (4-0).

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

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

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

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

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

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

SITE PLAN FOR MARVIN FOR MARVIN DEVELOPMENT, IV, LLC – TACO BELL

MOTION: Councilor Maki moved and Councilor Bjerkness seconded the motion adopt **RESOLUTION NO. 17-22, A RESOLUTION APPROVING THE SITE PLAN IN THE RC-REGIONAL COMMERCIAL DISTRICT FOR MARVIN DEVELOPMENT, IV, LLC.** The motion carried unanimously (4-0).

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

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

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

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

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

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

SET PUBLIC HEARING FOR COUNTRY CLUB TOWNHOMES, LLC TAX INCREMENT FINANCING

MOTION: Councilor Maki moved and Councilor Bjerkness seconded the motion to adopt **RESOLUTION NO. 17-23, RESOLUTION CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL ON THE PROPOSED ADOPTION OF A MODIFICATION TO THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 4 AND THE PROPOSED ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 4-1 THEREIN AND THE ADOPTION OF THE TAX INCREMENT FINANCING PLAN THEREFOR** which sets a public hearing for May 2, 2017. The motion carried unanimously (4-0).

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

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

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

AWARDING BID FOR THE 2017 SEWER LINING PROJECT

MOTION: Councilor Maki moved and Councilor Langley seconded the motion to adopt **RESOLUTION NO. 17-26, RESOLUTION AWARDING 2017 SEWER LINING BID.** The motion carried unanimously (4-0).

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

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

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

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

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

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

AUTHORIZATION TO BID 2017 RIVERFRONT IMPROVEMENTS

MOTION: Councilor Langley moved and Councilor Maki seconded the motion to authorize the solicitation of bids for planned park, landscape, and street improvements on Broadway Avenue, Dunlap Island, and the north riverfront. The motion carried unanimously (4-0).

BROADWAY AVENUE LIMITED USE PERMIT

MOTION: Councilor Langley moved and Councilor Maki seconded the motion to adopt **RESOLUTION NO. 17-27, AUTHORIZING THE CITY OF CLOQUET PUBLIC WORKS DEPARTMENT TO MAINTAIN A PATHWAY ON MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY ALONG BROADWAY AVENUE.** The motion carried unanimously (4-0).

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

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

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

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

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

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

REVISED MEMORANDUM OF UNDERSTANDING, REGIONAL STORMWATER PROTECTION TEAM

MOTION: Councilor Bjerkness moved and Councilor Langley seconded the motion to approve the revised Memorandum of Understanding, Regional Stormwater Protection Team. The motion carried unanimously (4-0).

PUBLIC COMMENTS

There were none.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

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

James Barclay, Interim City Administrator