

Regular Meeting

Roll Call

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

Councilors Absent: None

Pledge of Allegiance

AGENDA

MOTION: Councilor Langley moved and Councilor Rock seconded the motion to approve the May 2, 2017 agenda. The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Bailey moved and Councilor Maki seconded the motion to approve the minutes of the Work Session and Regular Meeting of April 18, 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 May 2, 2017 approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 17-44, Authorizing the Payment of Bills
- b. Approval of Transient Merchant License – Carlton County Farmers Market

PUBLIC HEARING

- a. The proposed Establishment of Development District No. 4 and the Adoption of the Tax Increment Financing Plan Therefor; and the Proposed Establishment of Tax Increment Financing District No. 4-1 Therein and the Adoption of the Tax Increment Financing Plan Therefor.

PRESENTATIONS

There were none.

PROJECT LABOR AGREEMENT ORDINANCE

MOTION: Councilor Bailey moved and Councilor Rock seconded the motion to adopt **ORDINANCE NO. 465A, AN ORDINANCE REQUIRING PROJECT LABOR AGREEMENTS ON WORK PERFORMED UNDER ANY AND ALL CONSTRUCTION CONTRACTS WITH THE CITY OF CLOQUET, MINNESOTA.** The motion carried unanimously (7-0).

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

Section 1. City Code Amendment. That the Cloquet City Code, be amended by adding a new Section 9.2 to Chapter 9, to read as follows:

Section 9.2: Project Labor Agreements

9.2.01. Policy. The city, as a purchaser of construction services, has a compelling interest in ensuring that the city construction contracts proceed in a timely, cost-effective manner with the highest degree of quality and with minimal delays and disruptions. City contracts should be performed with the highest degree of safety for workers and the public, and in a manner, that provides meaningful training and employment opportunities for residents. Throughout the state and country, public and private construction owners regularly utilize and require project labor agreements for billions of dollars' worth of construction each year. Project labor agreements that establish uniform terms and conditions of employment for the contractors and other parties working on a project have been shown to provide an effective mechanism for construction management because they allow project owners to:

- (1) Predict their labor costs and requirements, and, therefore, more accurately estimate actual total project costs;
- (2) Promote cost-efficient, timely and safe construction project delivery, by providing access to a reliable supply of properly trained and skilled construction craft personnel for all aspects of the project;
- (3) Assure greater productivity and workmanship quality from construction craft personnel, thereby yielding high quality, cost-efficient projects, while also reducing maintenance and repair costs over the life of the project;
- (4) Integrate work schedules and standardize work rules for the project to provide a well-coordinated, efficiently functioning construction worksite that will minimize delays, promote quality, and maintain project safety; and
- (5) Assure that construction will proceed without interruption from staffing shortages, high employee turnover, safety incidents, and labor disputes by providing reliable project staffing, contractual guarantees against work stoppages and mutually binding procedures for resolving disputes;

9.2.02. Project Labor Agreement Required. A project labor agreement, in substantially the form adopted by resolution of the council from time to time and kept by the city clerk as a public document, shall be required to be used on each city construction project, as Project is defined below, with a total project cost of \$175,000 or more. Any project labor agreement entered into by the city shall be made binding on all contractors and subcontractors working on the project. The city shall implement the project labor agreement by requiring adherence to the agreement in the bid specifications in all relevant bid documents. No contractor shall be required to be or become a party to a collective bargaining agreement on any other construction project in order to qualify to work under a project labor agreement implemented for a particular city project.

Project Defined. For purposes of this Section, “Project” shall mean work performed under Contract with the City or work performed where the City provides any financial assistance or payment (including but not limited to Contract payments, grants, loans, loan guaranties, tax increment financing, tax abatements, tax payments, lease payments, loan payments, contract for deed payments or revenue for bonds) for the erection, destruction, demolition, painting, remodeling or repairing of any building, highway, sidewalk, bridge, water or gas line, sewer and sewage treatment facility or other similar work.

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

COUNTRY CLUB TOWNHOMES, LLC – APPROVING PUD, PRELIMINARY PLAT AND FINAL PLAT

MOTION: Councilor Bjerkness moved and Councilor Rock seconded the motion to adopt **RESOLUTION NO. 17-38, A RESOLUTION APPROVING A PLANNED UNIT DEVELOPMENT SITE PLAN IN THE R2-ONE AND TWO FAMILY RESIDENCE DISTRICT FOR COUNTRY CLUB TOWNHOMES FOR COUNTRY CLUB PATIO HOMES.** The motion carried unanimously (7-0).

WHEREAS, Country Club Townhomes, LLC is proposing a Planned Unit Development in the R2 – One and Two Family Residence District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on April 11, 2017 at which time Zoning Case / Development Review No. 17-02 was heard and discussed; and

WHEREAS, the property of the proposed Planned Unit Development is located northeast of Reservation Road and Carlton Avenue West and is legally described as follows:

Lots 3, 4, 5, 6 and 7, Block 1, Golf Course 1st Addition, City of Cloquet, Carlton County, Minnesota, according to the recorded plat thereof, and that portion of Lot 8, Block 1 of said plat lying westerly of the following described line:
Commencing at the northeast corner of said Lot 8; thence North 77 degrees 51

minutes 41 seconds West, 28.23 feet along the north line of said Lot 8 to the point of beginning of the line being described; thence South 04 degrees 52 minutes 07 seconds West, 188.79 feet to the south line of said Lot 8, and there terminating. and;

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of a Planned Unit Development in the R2 – One and Two Family Residence District.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves Zoning Case 17-02 for a Planned Unit Development in the R2 – One and Two Family Residence District subject to the following conditions:

1. Compliance with the Engineer's Memo Dated April 4, 2017
2. The location and size of the storage building must match the preliminary plat. The location must be setback a minimum of 25 feet from Reservation Road.
3. The Homeowners Association documents need to stipulate the storage building will only be used by the occupants of lots 1 through 12.
4. The wetland mitigation must be approved and appropriate documents filed prior to the recording of the final plat or the plat will need to be revised. No site work can begin that will impact the wetlands prior to any approval.
5. Address signage must be placed at the entrance to Carlton Avenue West and Reservation Road.

MOTION: Councilor Bjerkness moved and Councilor Rock seconded the motion to adopt **RESOLUTION NO. 17-39, A RESOLUTION APPROVING A PRELIMINARY PLAT IN THE R2-ONE AND TWO FAMILY RESIDENCE DISTRICT FOR COUNTRY CLUB TOWNHOMS FOR COUNTRY CLUB PATIO HOMES.** The motion carried unanimously (7-0).

WHEREAS, Country Club Townhomes, LLC is proposing a Preliminary Plat in the R2 – One and Two Family Residence District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on April 11, 2017 at which time Zoning Case / Development Review No. 17-02 was heard and discussed; and

WHEREAS, the property of the proposed Preliminary Plat is located northeast of Carlton Avenue West and Reservation Road and is legally described as follows:

Lots 3, 4, 5, 6 and 7, Block 1, Golf Course 1st Addition, City of Cloquet, Carlton County, Minnesota, according to the recorded plat thereof, and that portion of Lot 8, Block 1 of said plat lying westerly of the following described line:
Commencing at the northeast corner of said Lot 8; thence North 77 degrees 51 minutes 41 seconds West, 28.23 feet along the north line of said Lot 8 to the point of beginning of the line being described; thence South 04 degrees 52 minutes 07 seconds West, 188.79 feet to the south line of said Lot 8, and there terminating. and;

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of a Preliminary Plat for 13 lots and 1 outlot in the R2 – One and Two Family Residence District.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves Zoning Case 17-02 for a Preliminary Plat in the R2 – One and Two Family Residence District subject to the following conditions:

1. Compliance with the Engineer's Memo Dated April 4, 2017
2. The location and size of the storage building must match the planned unit development. The location must be setback a minimum of 25 feet from Reservation Road.
3. Outlot B must be labeled as a Lot.
4. The wetland mitigation must be approved and appropriate documents filed prior to the recording of the final plat or the plat will need to be revised. No site work can begin that will impact the wetlands prior to any approval.
5. 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.
6. The HOA documents must be filed and recorded with the final plat.

MOTION: Councilor Bjerkness moved and Councilor Rock seconded the motion to adopt **RESOLUTION NO. 17-40, A RESOLUTION APPROVING A FINAL PLAT IN THE R2-ONE AND TWO FAMILY RESIDENCE DISTRICT FOR COUNTRY CLUB TOWNHOMES FOR COUNTRY CLUB PATIO HOMES.** The motion carried unanimously (7-0).

WHEREAS, Country Club Townhomes, LLC is proposing a Final Plat in the R2-One and Two Family Residence District; and

WHEREAS, the property of the proposed Final Plat is located northeast of Carlton Avenue West and Reservation Road and is legally described as follows:

Lots 3, 4, 5, 6 and 7, Block 1, Golf Course 1st Addition, City of Cloquet, Carlton County, Minnesota, according to the recorded plat thereof, and that portion of Lot 8, Block 1 of said plat lying westerly of the following described line: Commencing at the northeast corner of said Lot 8; thence North 77 degrees 51 minutes 41 seconds West, 28.23 feet along the north line of said Lot 8 to the point of beginning of the line being described; thence South 04 degrees 52 minutes 07 seconds West, 188.79 feet to the south line of said Lot 8, and there terminating. and;

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of a Final Plat for 13 lots and 1 outlot in the R2 – One and Two Family Residence District.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves Zoning Case 17-02 for a Final Plat in the R2 – One and Two Family Residence District subject to the following conditions:

1. Compliance with the Engineer's Memo Dated April 4, 2017
2. The location and size of the storage building must match the planned unit development. The location must be setback a minimum of 25 feet from Reservation Road.
3. Outlot B must be labeled as a Lot.
4. The wetland mitigation must be approved and appropriate documents filed prior to the recording of the final plat or the plat will need to be revised. No site work can begin that will impact the wetlands prior to any approval.
5. 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.
6. The HOA documents must be filed and recorded with the final plat.

COUNTRY CLUB PATIO HOMES – REQUEST FOR HOUSING TIF, EXECUTION OF THE DEVELOPMENT AGREEMENT AND INTERFUND LOAN RELATED TO START UP COSTS

MOTION: Councilor Kolodge moved and Councilor Bailey seconded the motion to adopt **RESOLUTION NO. 17-41, RESOLUTION RECOMMENDING THE ESTABLISHMENT OF DEVELOPMENT DISTRICT NO. 4 AND ADOPTING A DEVELOPMENT PROGRAM THEREFOR; AND THE ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 4-1 THEREIN AND ADOPTING A TAX INCREMENT FINANCING PLAN THEREFORE.** The motion carried unanimously (7-0).

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

Section 1. Recitals.

1.01. It has been proposed by the City that the City establish Development District No. 4 (the "Project Area") and adopt a Development Program therefor (the "Development Program") and establish Tax Increment Financing District No.4-1 (the "District") therein and adopt a Tax Increment Financing Plan (the "TIF Plan") therefor (the Development Program and the TIF Plan are referred to collectively herein as the "Program and Plan"); all pursuant to and in conformity with applicable law, including Minnesota Statutes, Sections 469.124 to 469.133 and Sections 469.174 to 469.1794, all inclusive, as amended, (the "Act") all as reflected in the Program and Plan, and presented for the Council's consideration.

1.02. The City has investigated the facts relating to the Program and Plan and has caused the Program and Plan to be prepared.

1.03. The City has performed all actions required by law to be performed prior to the establishment of the District and the adoption and approval of the proposed Program and Plan, including, but not limited to, notification of Carlton County and Independent School District No. 94 having taxing jurisdiction over the property to be included in the District, a review of and written comment on the Program and Plan by the City Planning Commission, approval of the Program and Plan by the City on April 5, 2017, and the holding of a public hearing upon published notice as required by law.

1.04. Certain written reports (the "Reports") relating to the Program and Plan and to the activities contemplated therein have heretofore been prepared by staff and consultants and submitted to the Council and/or made a part of the City files and proceedings on the Program and Plan. The Reports include data, information and/or substantiation constituting or relating to the basis for the other findings and determinations made in this resolution. The Council hereby confirms, ratifies and adopts the Reports, which are hereby incorporated into and made as fully a part of this resolution to the same extent as if set forth in full herein.

Section 2. Findings for the Adoption and Approval of the Development Program.

2.01. The Council approves the Development Program, and specifically finds that: (a) the land within the Project Area would not be available for redevelopment without the financial aid to be sought under this Development Program; (b) the Development Program will afford maximum opportunity, consistent with the needs of the City as a whole, for the development of the Project Area by private enterprise; and (c) that the Development Program conforms to the general plan for the development of the City as a whole.

Section 3. Findings for the Establishment of Tax Increment Financing District No.4-1.

3.01. The Council hereby finds that Tax Increment Financing District No.4-1 is in the public interest and is a "housing district" under Minnesota Statutes, Section 469.174, Subd. 11 of the Act.

3.02. The Council further finds that the proposed development would not occur solely through private investment within the reasonably foreseeable future, that the Program and Plan conform to the general plan for the development or redevelopment of the City as a whole; and that the Program and Plan will afford maximum opportunity consistent with the sound needs of the City as a whole, for the development or redevelopment of the District by private enterprise.

3.03. The Council further finds, declares and determines that the City made the above findings stated in this Section and has set forth the reasons and supporting facts for each determination in writing, attached hereto as Exhibit A.

Section 4. Public Purpose.

4.01. The adoption of the Program and Plan conforms in all respects to the requirements of the Act and will help fulfill a need to develop an area of the City which is already built up, to provide housing opportunities, to improve the tax base and to improve the general economy of the State and thereby serves a public purpose. For the reasons described in Exhibit A, the City believes these benefits directly derive from the tax increment assistance provided under the TIF Plan. A private developer will receive only the assistance needed to make this development financially feasible. As such, any private benefits received by a developer are incidental and do not outweigh the primary public benefits.

Section 5. Approval and Adoption of the Program and Plan.

5.01. The Program and Plan, as presented to the Council on this date, including without limitation the findings and statements of objectives contained therein, are hereby approved, ratified, established, and adopted and shall be placed on file in the office of the City Administrator.

5.02. The staff of the City, the City's advisors and legal counsel are authorized and directed to proceed with the implementation of the Program and Plan and to negotiate, draft, prepare and present to this Council for its consideration all further plans, resolutions, documents and contracts necessary for this purpose.

5.03. The Auditor of Carlton County is requested to certify the original net tax capacity of the District, as described in the Program and Plan, and to certify in each year thereafter the amount by which the original net tax capacity has increased or decreased; and the City is authorized and directed to forthwith transmit this request to the County Auditor in such form and content as the Auditor may specify, together with a list of all properties within

the District, for which building permits have been issued during the 18 months immediately preceding the adoption of this resolution.

5.04. The City Administrator is further authorized and directed to file a copy of the Program and Plan with the Commissioner of the Minnesota Department of Revenue and the Office of the State Auditor pursuant to Minnesota Statutes 469.175, Subd. 4a.

MOTION: Councilor Langley moved and Councilor Bailey seconded the motion to adopt **RESOLUTION NO. 17-42, RESOLUTION AUTHORIZING THE EXECUTION OF THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF CLOQUET AND COUNTRY CLUB PATIO HOMES, LLC AND EXECUTION OF THE TAX INCREMENT REVENUE NOTE FOR THE PROJECT.** The motion carried unanimously (7-0).

WHEREAS, Country Club Patio Homes LLC (the "Developer") has requested the City of Cloquet, Minnesota (the "City") to assist with the financing of certain costs incurred in connection with the construction of approximately 12-unit owner-occupied single family homes (patio homes) in the City by the Developer (the "Project").

WHEREAS, the Developer and the City have determined to enter into a Development Agreement providing for the City's tax increment financing assistance for the Project (the "Development Agreement").

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cloquet, Minnesota, as follows:

The City Council hereby approves the Development Agreement in substantially the form submitted, and the Mayor and Interim City Administrator are hereby authorized and directed to execute the Development Agreement on behalf of the City.

The approval hereby given to the Development Agreement includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City officials authorized by this resolution to execute the Development Agreement. The execution of the Development Agreement by the appropriate officer or officers of the City shall be conclusive evidence of the approval of the Development Agreement in accordance with the terms hereof.

MOTION: Councilor Bjerkness moved and Councilor Bailey seconded the motion to adopt **RESOLUTION NO. 17-43, RESOLUTION AUTHORIZING AN INTERFUND LOAN TO ADVANCE CERTAIN COSTS IN CONNECTION WITH TIF DISTRICT NO. 4-1.** The motion carried unanimously (7-0).

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

Section 1. Background.

1.01. The City has heretofore approved the establishment of Tax Increment Financing District No.4-1 (the "TIF District") within Development District No. 4 (the "Project"), and has adopted a Tax Increment Financing Plan (the "TIF Plan") for the purpose of financing certain improvements within the Project.

1.02. The City has determined to pay for certain costs identified in the TIF Plan consisting of land/building acquisition, site improvements/preparation, public utilities, other qualifying improvements, interest and administrative costs (collectively, the "Qualified Costs"), which costs may be financed on a temporary basis from City funds available for such purposes.

1.03. Under Minnesota Statutes, Section 469.178, Subd. 7, the City is authorized to advance or loan money from the City's general fund or any other fund from which such advances may be legally authorized, in order to finance the Qualified Costs.

1.04. The City intends to reimburse itself for the Qualified Costs from tax increments derived from the TIF District in accordance with the terms of this resolution (which terms are referred to collectively as the "Interfund Loan").

Section 2. Terms of Interfund Loan.

2.01. The City hereby authorizes the advance of up to \$10,000 from Fund 207 or so much thereof as may be paid as Qualified Costs. The City shall reimburse itself for such advances together with interest at the rate stated below. Interest accrues on the principal amount from the date of each advance. The maximum rate of interest permitted to be

charged is limited to the greater of the rates specified under Minnesota Statutes, Section 270C.40 or Section 549.09 as of the date the loan or advance is authorized, unless the written agreement states that the maximum interest rate will fluctuate as the interest rates specified under Minnesota Statutes, Section 270C.40 or Section 549.09 are from time to time adjusted. The interest rate shall be 4% and will not fluctuate.

2.02. Principal and interest ("Payments") on the Interfund Loan shall be paid semi-annually on each August 1 and February 1 (each a "Payment Date"), commencing on the first Payment Date on which the Authority has Available Tax Increment (defined below), or on any other dates determined by the City Administrator, through the date of last receipt of tax increment from the TIF District.

2.03. Payments on this Interfund Loan are payable solely from "Available Tax Increment," which shall mean, on each Payment Date, tax increment available after other obligations have been paid, or as determined by the City Administrator, generated in the preceding six (6) months with respect to the property within the TIF District and remitted to the City by Carlton County, all in accordance with Minnesota Statutes, Sections 469.174 to 469.1794, all inclusive, as amended. Payments on this Interfund Loan may be subordinated to any outstanding or future bonds, notes or contracts secured in whole or in part with Available Tax Increment, and are on parity with any other outstanding or future interfund loans secured in whole or in part with Available Tax Increment.

2.04. The principal sum and all accrued interest payable under this Interfund Loan are pre-payable in whole or in part at any time by the City without premium or penalty. No partial prepayment shall affect the amount or timing of any other regular payment otherwise required to be made under this Interfund Loan.

2.05. This Interfund Loan is evidence of an internal borrowing by the City in accordance with Minnesota Statutes, Section 469.178, Subd. 7, and is a limited obligation payable solely from Available Tax Increment pledged to the payment hereof under this resolution. This Interfund Loan and the interest hereon shall not be deemed to constitute a general obligation of the State of Minnesota or any political subdivision thereof, including, without limitation, the City. Neither the State of Minnesota, nor any political subdivision thereof shall be obligated to pay the principal of or interest on this Interfund Loan or other costs incident hereto except out of Available Tax Increment, and neither the full faith and credit nor the taxing power of the State of Minnesota or any political subdivision thereof is pledged to the payment of the principal of or interest on this Interfund Loan or other costs incident hereto. The City shall have no obligation to pay any principal amount of the Interfund Loan or accrued interest thereon, which may remain unpaid after the final Payment Date.

2.06. The City may amend the terms of this Interfund Loan at any time by resolution of the City Council, including a determination to forgive the outstanding principal amount and accrued interest to the extent permissible under law.

Section 3. Effective Date. This resolution is effective upon the date of its approval.

2017 RIVERFRONT IMPROVEMENTS, CONTRACT AWARD

MOTION: Councilor Bailey moved and Councilor Maki seconded the motion to adopt **RESOLUTION NO. 17-47, RESOLUTION AWARDDING BID FOR 2017 RIVERFRONT IMPROVEMENTS.** The motion carried unanimously (7-0).

WHEREAS, The City has identified the completion of the proposed Riverfront Improvements as a priority of Park Master Plan and Waterfront Master Plan; and

WHEREAS, A public input process was undertaken in order to best determine the scope of said improvements; and

WHEREAS, The City Council has awarded a contract to SEH to complete design plans and specifications for proposed 2017 Riverfront Improvements; and

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

| <u>Bidder</u> | <u>Bid Amount</u> |
|------------------------|-------------------|
| Ulland Brothers, Inc. | \$ 2,886,100.00 |
| Northland Constructors | \$ 2,945,499.84 |

AND WHEREAS, The apparent low bid from Ulland Brothers, 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 Ulland Brothers, Inc. in the amount of \$2,886,100.00 is hereby accepted.

BE IT FURTHER RESOLVED, The City Engineer is hereby authorized to act as agent on behalf of the City of Cloquet.

DUNLAP ISLAND PLAYGROUND EQUIPMENT PURCHASE

MOTION: Councilor Maki moved and Councilor Kolodge seconded the motion to adopt **RESOLUTION NO. 17-46, RESOLUTION AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FROM KOMPAN** authorize the purchase of a ProWall Ice Rink System from Sport Resource Group in the amount of \$28,830.00. The motion carried unanimously (7-0).

WHEREAS, The City included funds in the 2017 Budget and Capital Plan for improvements to Dunlap Island; and

WHEREAS, The proposed improvements included a new destination playground as identified in the Riverfront Master Plan; and

WHEREAS, The City can save costs and comply with government purchasing regulations by utilizing government purchasing cooperatives for improvements of this type; and

WHEREAS, The purchase and installation of the selected equipment is available through the US Communities Government Purchasing Alliance and Minnesota Services Cooperative respectively;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the purchase of KOMPAN playground equipment through US Communities Government Purchasing Alliance and the Installation by Midwest Playscapes under the Minnesota Services Cooperative in hereby authorized in the total amount of \$455,306.09.

BE IT FURTHER RESOLVED, The City Engineer is hereby authorized to act as agent on behalf of the City of Cloquet.

CONSTRUCTION SERVICES FOR 2017 RIVERFRONT IMPROVEMENTS

MOTION: Councilor Bailey moved and Councilor Maki seconded the motion to approve **RESOLUTION NO. 17-48, RESOLUTION ENTERING INTO AN AGREEMENT WITH SEH, INC. FOR CONSTRUCTION SERVICES ASSOCIATED WITH 2017 RIVERFRONT IMPROVEMENTS.** The motion carried unanimously (7-0).

WHEREAS, The City included funds in the 2017 Budget and Capital Plan for improvements to the Riverfront; and

WHEREAS, The Council previously awarded a design services agreement to SEH Inc. for preparation of bid documents associated with those improvements as identified in the Waterfront Master Plan; and

WHEREAS, The City has awarded a contract for construction of said improvements to Ulland Brothers, Inc. and must now consider how it wishes to handle construction administration of the project.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City of Cloquet hereby agrees to enter into an Agreement with SEH Inc. in the amount of \$109,5000 for project construction services.

BE IT FURTHER RESOLVED, The City Engineer is hereby authorized to act as agent on behalf of the City of Cloquet.

BROADWAY AVENUE BNSF RAIL CROSSING

MOTION: Councilor Bjerkness moved and Councilor Maki seconded the motion to approve **RESOLUTION NO. 17-45, RESOLUTION ENTERING INTO CROSSING INSTALLATION AGREEMENT AND LICENSE FOR PEDESTRIAN WALKWAY WITH BNSF RAILWAY COMPANY.** The motion carried unanimously (7-0).

WHEREAS, The City included funds in the 2017 Budget and Capital Plan for improvements to the Broadway Avenue Corridor: and

WHEREAS, The proposed improvements would modify the existing BNSF Railway Crossing and install City owned infrastructure within BNSF right-of-way; and

WHEREAS, BNSF Railway Company requires an Installation Agreement and License in order to complete such improvements within their right-of-way;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City of Cloquet hereby agrees to enter into a Crossing Installation Agreement and License for Pedestrian Walkway with BNSF Railway Company.

BE IT FURTHER RESOLVED, The City Engineer is hereby authorized to act as agent on behalf of the City of Cloquet.

TEMPORARY, PART TIME CUSTODIAN POSITION

MOTION: Councilor Kolodge moved and Councilor Langley seconded the motion to appoint Jessica Crisel to the position of Temporary, Part-Time Custodian effective May 3, 2017. The motion carried unanimously (7-0).

VETERANS USE OF CITY OWNED SPACE

MOTION: Councilor Bailey moved and Councilor Bjerkness seconded the motion to approve the fee-free use of the Cloquet Senior Center, a City owned space, by the American Legion and other veteran organizations under the provisions of the “City of Cloquet Use of Senior Center Facility and Equipment” rules and guidelines. The motion carried unanimously (7-0).

PUBLIC COMMENTS

- Barb Wyman, 347 Nelson Road, addressed the Council stating she feels the public needs to know that an outside mediator was hired to investigate the complaint against S. Stracek. Until the investigation is complete, no one involved can comment. She next read the Wikipedia definition of “vote of no confidence” and stated the vote was their last resort. Ms. Wyman stated the police officers have her support, as well as the Council.
- Michael Utecht, Brookston, addressed the Council commenting that he could no longer sit idly by while there is negative reporting by J. Peterson of the Pine Journal. He also questioned why there was no mention of J. Palmer’s positive job history or his qualification to be Interim Chief in the articles. Mr. Utecht stated his work brings him into contact with Cloquet Police Department so he can speak first hand and has much respect for the officers.

COUNCIL COMMENTS, ANNOUNCEMENTS, AND UPDATES

- Councilor Bailey commented on the news this week of Jarden Brands closing the Cloquet mill. He further stated that by partnering with the union, we may help keep local people employed.
- Councilor Rock requested clarification from Attorney Helwig regarding closed meetings. Mr. Helwig explained that once the investigation regarding Chief Stracek is complete, results will be made public. Until that time, information is confidential and should not be discussed. Mr. Helwig also explained that his role at a closed meeting is to give legal guidance and advice and provide legal advice only.

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