



CITY OF CLOQUET
City Council Agenda - AMENDED
Tuesday, February 17, 2015
7:00 p.m.
City Hall Council Chambers

NOTE: TIME CHANGE

CITY COUNCIL WORK SESSION

- 4:30 p.m. Annual Joint City Council - Parks Commission Meeting/Update
- Park Design Review
 - Landscape Plan Review
- 6:50 p.m. Future Work Session Agenda Planning

1. **Roll Call.**

2. **Approval of Agenda.**

- a. Approval of February 17, 2015 Council Agenda.

3. **Approval of Council Minutes.**

- a. Work Session minutes from the February 3, 2015 meeting.
b. Regular Council minutes from the February 3, 2015 meeting.

4. **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. 15-09, Authorizing the Payment of Bills.
b. New Therapeutic Massage Business License - Cloquet Natural Foods.
c. New Therapeutic Massage Therapist License - Robert Gabres.
d. Consumption & Display Permit Renewal - The Tap on 33 Inc.
e. Resolution No. 15-11, Adopting and Confirming Special Assessments for Delinquent Utilities.

5. **Public Hearings.**

Now is the time and place for the public hearing to consider the City's application to the Minnesota Department of Employment and Economic Development for Small Cities Development Program funding.

- Resolution No. 15-12.
- Resolution No. 15-13.



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6. Presentations.

None.

7. Council Business.

- a. Waterfront Committee Appointments.
- b. Option and Lease Agreement - New Cingular Wireless PCS, LLC.
- c. Resolution No. 15-10, Comprehensive Plan Amendment.
- d. Ordinance No. 440A, Amending the Zoning Map.
- e. Purchase of Dump Truck for Public Works Dept.
- f. Resolution No. 15-14, Vacating a Portion of 2nd Street South of Selmser Avenue and Amending Council Resolution No. 14-38.
- g. Resolution No. 15-15, Donation of Ceiling Tiles from USG Interiors, LLC.

8. 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.

9. Council Comments, Announcements, and Updates.

10. Adjournment.



REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: James R. Prusak, Director of Public Works
Reviewed by: Brian Fritsinger, City Administrator (a)
Date: February 11, 2015

ITEM DESCRIPTION: Resolution vacating a portion of 2nd Street south of Selmsler Avenue and amending Council Resolution No. 14-38.

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION 15-14, RESOLUTION VACATING A PORTION OF SECOND STREET SOUTH OF SELMSER AVENUE AND AMENDING COUNCIL RESOLUTION NO. 14-38.**

Background/Overview

As part of the Highway 33 improvements that took place last summer, a new entrance on to and off of the highway was constructed to the rear of the Little Store gas station just north of the Doddridge Avenue intersection. This allows northbound traffic to pull off of the highway at this point and also to get back on to the Highway and continue northbound as an alternate to using Doddridge at the traffic signal. To accommodate this new entrance, the City had to relocate and reconstruct the existing 2nd Street cul-de-sac just north of the Store and a land exchange, involving three parcels had to take place between the City and Best Oil Company, the owners of the Little Store. In addition, a portion of the 2nd Street right-of-way had to be vacated. A vacation hearing was held by the Planning Commission and the Council subsequently approved the vacation on May 20, 2014.

In preparing the final deed documents, an error in the original land description of the vacation was brought to light by the City Attorney's Office. As a result, they have prepared a corrected legal description and also a new resolution, which will correct this matter.

Policy Objectives

A proper legal description is required to legally record the vacation. Little Stores is in the process of selling this location and the City is attempting to close the vacation and title transfer process prior to the closing.

Financial/Budget/Grant Considerations

All improvements associated with the new highway entrance and revisions to the 2nd Street cul-de-sac were completed last year. At this point the only remaining costs will be associated with completing the final land transfer documents and this should be completed within the next week.

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- Resolution No. 15-14

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

RESOLUTION NO. 15-14

A RESOLUTION VACATING A PORTION OF SECOND STREET, SOUTH OF SELMSER AVENUE, AND AMENDING COUNCIL RESOLUTION NO. 14-38.

WHEREAS, on the 20th day of May, 2014, the City Council previously passed Resolution No. 14-38 approving Zoning Case 14-05 for a vacation of a portion of 2nd Street for the City of Cloquet legally described as follows:

A tract of land in the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE1/4-NE1/4-SW1/4) of Section Twenty-three (23), Township Forty-nine North (49N), Range Seventeen West (17W) of the Fourth Principal Meridian, Carlton County, Minnesota, described as follows:

Commencing at the center of said Section 23; thence on a bearing of South 89 degrees 51 minutes 02 seconds West going along the East and West quarter section line a distance of 515.00 feet to the West right-of-way line of Second Street; thence bearing South 05 degrees 35 minutes 58 seconds East a distance of 115.53 feet; thence bearing South 89 degrees 51 minutes 02 seconds West a distance of 67.17 feet to the easterly right-of-way line of Minnesota Trunk Highway 33; thence southeasterly along the easterly right-of-way line of Minnesota Trunk Highway 33 a distance of 41.65 feet; thence bearing North 89 degrees 50 minutes 56 seconds East a distance of 56.81 feet to the point of beginning of the tract of land to be described; thence continued Easterly on the last described bearing a distance of 100 feet; thence bearing North 05 degrees 35 minutes 58 seconds West a distance of 25 feet; thence bearing South 89 degrees 50 minutes 56 seconds West a distance of 99.71 feet; thence bearing South 05 degrees 36 minutes 19 seconds East a distance of 25.00 feet more or less to the point of beginning EXCEPT the easterly 15 feet thereof.

And,

WHEREAS, the portion of 2nd street intended to be vacated by Resolution No. 14-38 was incorrectly described for which the Planning Commission and the City Council intended such vacation; and

WHEREAS, the correct legal description of the portion of 2nd Street intended to be vacated by Resolution No. 14-38 is described as two parcels as follows:

See attached Exhibit A and Exhibit B, said property being depicted as Parcels A and C on the attached Exhibit C.

And,

WHEREAS, the City Council intends this resolution to vacate all property which was intended to be vacated by Resolution No. 14-38.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CLOQUET, COUNTY OF CARLTON, MINNESOTA, that such vacation is hereby granted and the portion of Second Street described as follows is hereby vacated:

See attached Exhibit A and Exhibit B, said property being depicted as Parcels A and C on the attached Exhibit C.

BE IT FURTHER RESOLVED, that this resolution and the vacation hereby granted shall rescind and supersede Resolution No. 14-38 in its entirety.

BE IT FURTHER RESOLVED, that the Mayor and City Administrator are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

PASSED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 17TH DAY OF FEBRUARY, 2015.

Dave Hallback, Mayor

ATTEST:

Brian Fritsinger, City Administrator

Parcel A

A tract of land in the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE1/4-NE1/4-SW1/4) of Section Twenty-three (23), Township, Forty-nine North (49N), Range Seventeen West (17W) of the Fourth Principal Meridian, Carlton County, Minnesota, described as follows:

Commencing at the Center Quarter corner of said Section 23; thence on an assumed bearing of North 89 degrees 57 minutes 46 seconds West, along the East and West Quarter section line of said Section 23 for a distance of 515.00 feet to the point of intersection with the Southerly extension of the West right-of-way line of Second Street; thence South 05 degrees 24 minutes 46 seconds East for a distance of 154.89 feet to the point of intersection with a line parallel with and distant 154.19 feet South of the North line of the Southwest Quarter of said Section 23, said point being the Point of Beginning of the tract of land herein described; thence South 89 degrees 57 minutes 46 seconds East, along said line parallel with and distant 154.19 feet south of the North line of the Southwest Quarter for a distance of 100.00 feet; thence North 05 degrees 24 minutes 46 seconds West for a distance of 25.00 feet; thence North 89 degrees 57 minutes 46 seconds West, along a line parallel with the North line of the Southwest Quarter of said Section 23 for a distance of 100.00 feet; thence South 05 degrees 24 minutes 46 seconds East for a distance of 25.00 feet to the Point of Beginning.

EXCEPT

The easterly 15.00 feet thereof.

Said parcel contains 2,114 square feet, more or less.

I hereby certify that this plan, specification, 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.

Date: 7-9-15

David R. Evanson

David R. Evanson MN License No. 49505

EXHIBIT A

ALTA

LAND SURVEY COMPANY

• LAND SURVEYING PHONE: 218-727-5211
• LAND DEVELOPMENT FAX: 218-727-3798
• PLATTING LICENSED IN MN & WI
• LEGAL DESCRIPTIONS CERTIFIED FEDERAL SURVEYOR
• CONSTRUCTION STAKING WWW.ALTASURVEYDULUTH.COM

Parcel C

A tract of land in the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE1/4-NE1/4-SW1/4) of Section Twenty-three (23), Township Forty-nine North (49N), Range Seventeen West (17W) of the Fourth Principal Meridian, Carlton County, Minnesota, described as follows:

Commencing at the Center Quarter corner of said Section 23; thence on an assumed bearing of North 89 degrees 57 minutes 46 seconds West, along the East and West quarter section line of said Section 23 for a distance of 515.00 feet to the point of intersection with the Southerly extension of the West right-of-way line of Second Street; thence South 05 degrees 24 minutes 46 seconds East for a distance of 154.89 feet to the point of intersection with a line parallel with and distant 154.19 feet South of the North line of the Southwest Quarter of said Section 23, said point being the Point of Beginning of the tract of land herein described; thence North 89 degrees 57 minutes 46 seconds West, parallel with said North line of the Southwest Quarter for a distance of 56.81 feet to the easterly right-of-way line of Minnesota Trunk Highway 33; thence North 19 degrees 44 minutes 54 seconds West, along said easterly right-of-way line of Minnesota Trunk Highway 33 for a distance of 41.65 feet to the point of intersection with a line parallel with and distant 115.00 feet south of the North line of the Southwest Quarter of said Section 23; thence South 89 degrees 57 minutes 46 seconds East, along said line parallel with and distant 115.00 feet south of the North line of the Southwest Quarter for a distance of 36.20 feet; thence South 00 degrees 02 minutes 14 seconds West for a distance of 14.30 feet; thence South 89 degrees 57 minutes 46 seconds East, along a line parallel with said North line of the Southwest Quarter for a distance of 32.34 feet; thence South 05 degrees 24 minutes 46 seconds East for a distance of 25.00 feet to the Point of Beginning.

Said parcel contains 1,977 square feet, more or less.

I hereby certify that this plan, specification, 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.

Date: 2-9-15

David R. Evanson

David R. Evanson MN License No. 49505

EXHIBIT **B**

ALTA

LAND SURVEY COMPANY

* LAND SURVEYING PHONE: 218-727-5211
* LAND DEVELOPMENT FAX: 218-727-3798
* PLATTING LICENSED IN MN & WI
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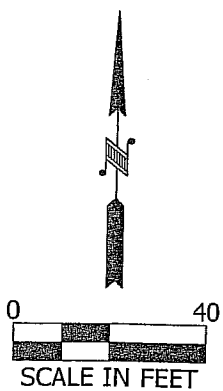
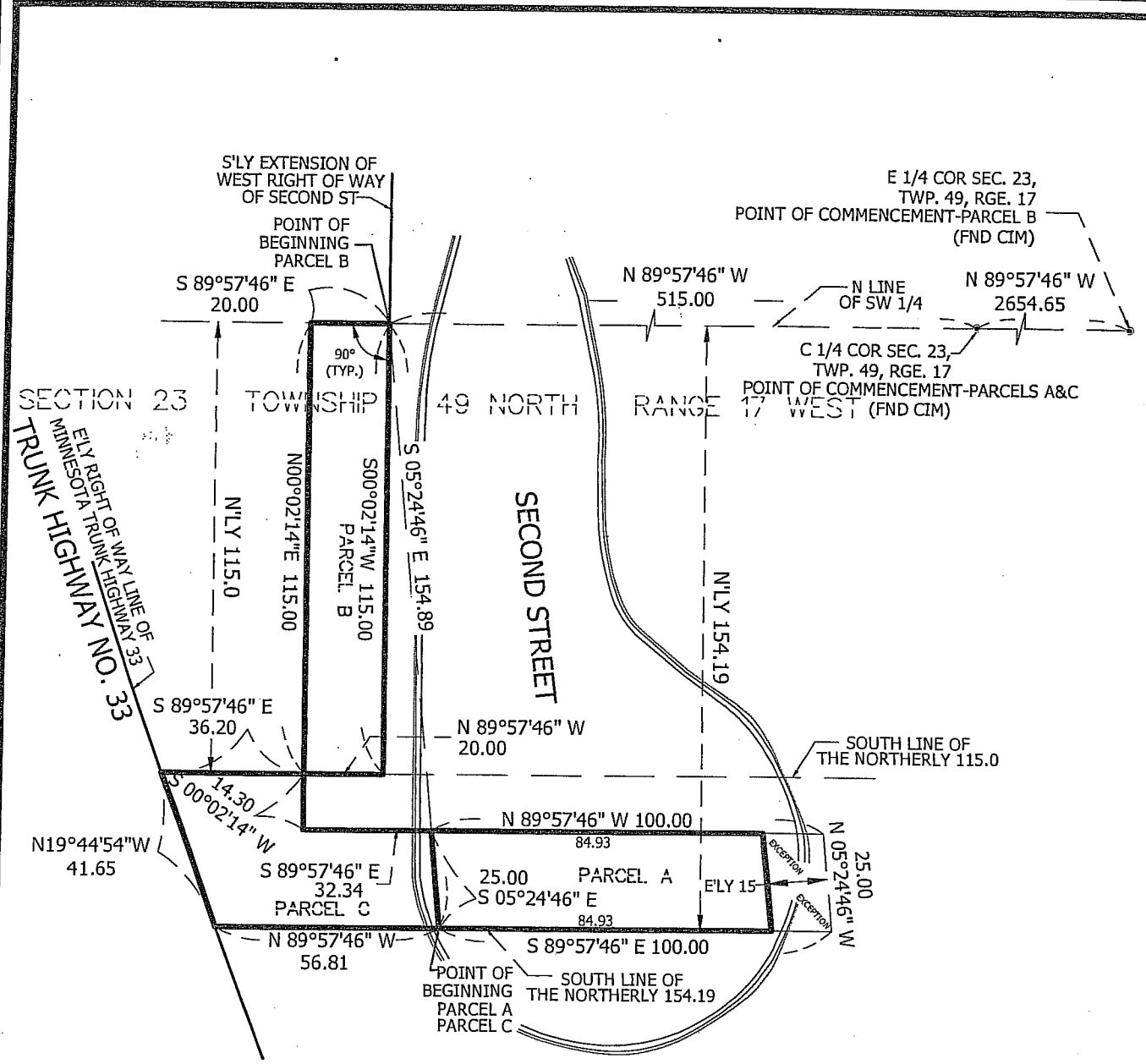


EXHIBIT C


ALTA
 LAND SURVEY COMPANY
 * LAND SURVEYING PHONE: 218-727-5211
 * LAND DEVELOPMENT FAX: 218-727-3798
 * PLATTING LICENSED IN MN & WI
 * LEGAL DESCRIPTIONS CERTIFIED FEDERAL SURVEYOR
 * CONSTRUCTION STAKING WWW.ALTA-SURVEYDULUTH.COM



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: Brian Fritsinger, City Administrator 
Date: February 13, 2015

ITEM DESCRIPTION: Donation of Ceiling Tiles from USG Interiors

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION NO. 15-15, RESOLUTION ACCEPTING THE DONATION OF CEILING TILES FROM USG INTERIORS, LLC.**

Background/Overview

In 2014, the City received a donation of ceiling tiles for several of its City buildings including CAT-7 and the library. Recently, USG Interiors, LLC, provided an additional donation to replace and repair tiles at the Public Safety building.

Policy Objectives

Minnesota Statutes 465.03 and 465.04 authorize a municipality to accept gifts of this nature. Such statutes require that such acceptance shall be by resolution of the governing body.

Financial/Budget/Grant Considerations

None.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Resolution 15-15.

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

RESOLUTION NO. 15-15

**RESOLUTION ACCEPTING THE DONATION OF
CEILING TILES FROM USG INTERIORS, LLC**

WHEREAS, The City of Cloquet is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes, Section 465.03, for the benefit of its citizens; and

WHEREAS, The City has received an offer from USG Interiors, LLC to donate ceiling tiles to the Public Safety building; and

WHEREAS, Such donation is being contributed to assist the City in its provision of City services as allowed by law; and

WHEREAS, The City Council finds it is appropriate to accept the donation offered.

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

1. The donation described above is accepted and shall be used for the provision of City services, as allowed by law.
2. The City Administrator is hereby directed to issue “receipt to the donor” acknowledging the City’s receipt of USG Interiors donation and to acknowledge its gratitude for the donation.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 17TH DAY OF FEBRUARY, 2015.**

Dave Hallback, Mayor

ATTEST:

Brian Fritsinger, City Administrator