



CITY OF CLOQUET
City Council Agenda
Tuesday, April 7, 2015
7:00 p.m.
City Hall Council Chambers

CITY COUNCIL WORK SESSION

5:30 p.m. Riverfront Parks Concept Presentation - SEH
6:15 p.m. Local Option Sales Tax Update
6:50 p.m. Future Work Session Agenda Planning

1. **Roll Call.**
2. **Approval of Agenda.**
 - a. Approval of April 7, 2015 Council Agenda.
3. **Approval of Council Minutes.**
 - a. Work Session minutes from the March 17, 2015 meeting.
 - b. Regular Council minutes from the March 17, 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. 15-27, Authorizing the Payment of Bills and Payroll.
5. **Public Hearings.**
 - a. Now is the time and place for the public hearing on the proposed 2015 improvement of 8th Street from a point 450 feet north of Washington Avenue to Sahlman Avenue and also Sahlman Avenue from 7th Street to 9th Street.
 - Resolution No. 15-28.
6. **Presentations.**

None.



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7. Council Business.

- a. 2015 Clean Up Day Overview.
- b. Appointment of Police Officers.
- c. Video Production Technician Position Appointment.
- d. Event Coordinator Services Agreement.
- e. Ordinance No. 441A, Amending Chapter 8 of the City Code as it Relates to Dogs Running At Large.
- f. Ordinance No. 442A, An Ordinance Amending Section 6.5 of the City Code Related to Tobacco Compliance Checks.
- g. Resolution No. 15-29, Publication of a Summary of Ordinance No. 442A.
- h. Highway 33 Corridor Study and Access Management Plan Consultant Services.
- i. Resolution No. 15-30, Setting Public Hearing Date on the Proposed Improvement of West Taylor Avenue.
- j. Resolution No. 15-31, Adopting Final Assessment for 429 - 22nd Street.
- k. Resolution No. 15-32, Approving Solicitation of Bids for 2015 Park Improvements.

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.

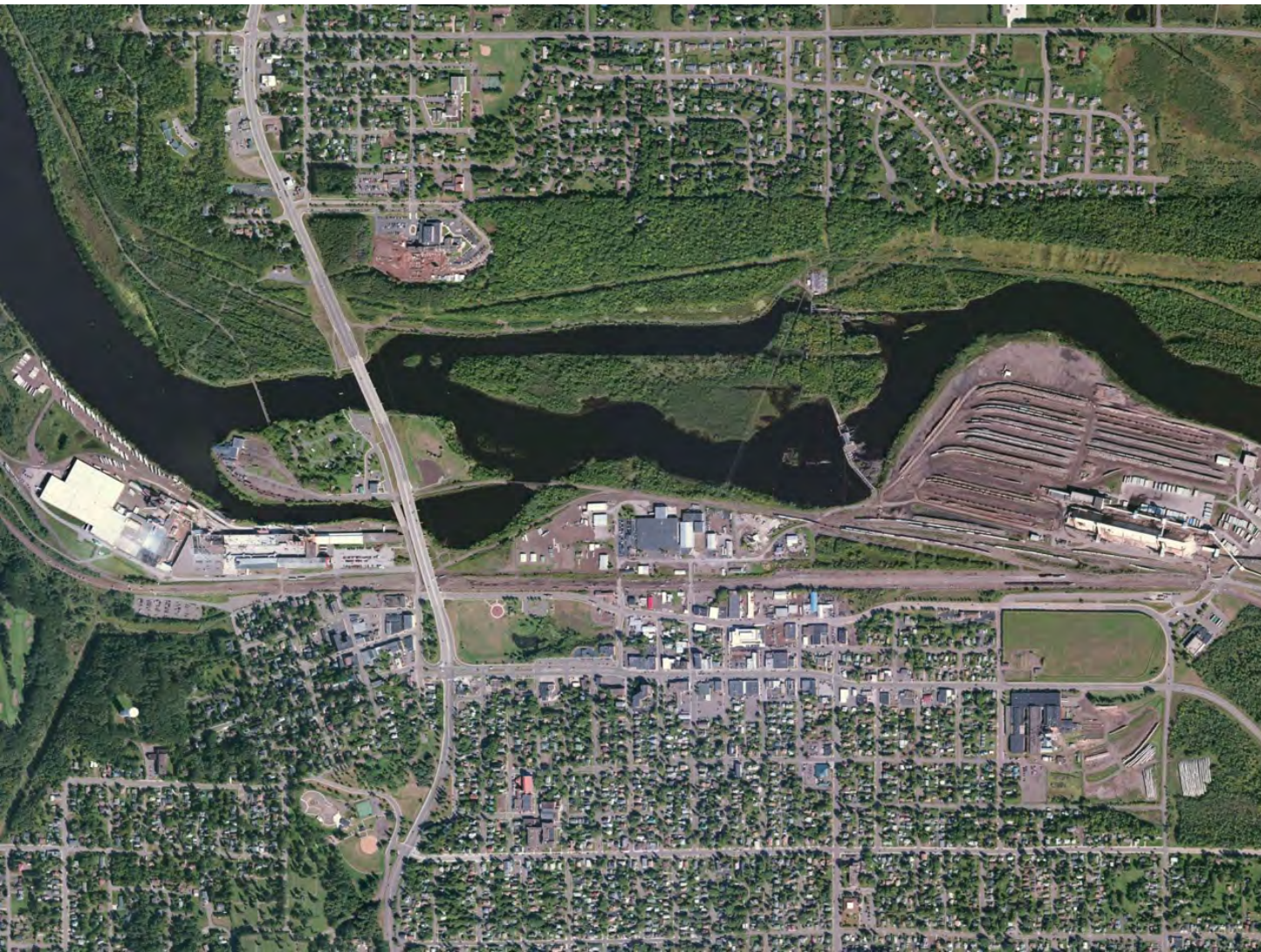
9. Commission Liaison Reports, Council Comments, Announcements, and Updates.

10. Adjournment.

Cloquet Parks and Waterfront Improvements

Charrette Community Meeting #3: March 25, 2015 - 6:30 pm

City Hall Council Chambers



Over the past three months, the City of Cloquet has conducted a holistic planning and schematic design process for publicly owned lands along the St. Louis River. To date, the City and their consultant team have analyzed opportunities and challenges, developed a consensus program and design documents to guide future park, open space and trail development along Cloquet's waterfront. It is critical that this process be grounded by a meaningful stakeholder input process and guided by an engaged Waterfront Committee.

Over the next two months, the design will be refined and considered in the context of Pinehurst, Fauley and Sunnyside Parks to identify potential phase one, 2016 construction projects.



Design Charrette

[intensive collaborative design and planning session]

Cloquet residents, businesses and everyone interested, please join us for events:

Site Tours

Mon, Mar 23 at 8, 9, 10 am
Tours will begin at both Voyageur's Park parking lot and lower Veteran's Park shelter

First Community Meeting

Mon, Mar 23, 6:30 – 8 pm
City Hall, Council Chambers
1307 Cloquet Avenue

Second Community Meeting

Tues, Mar 24, 11:30 am – 1 pm
City Hall, Council Chambers
1307 Cloquet Avenue

Final Community Meeting

Wed, Mar 25, 6:30 – 8 pm
City Hall, Council Chambers
1307 Cloquet Avenue

During the several months that follow, the City's consultant team, along with the Waterfront Committee, will advance the design and prioritize projects for 2016 construction.

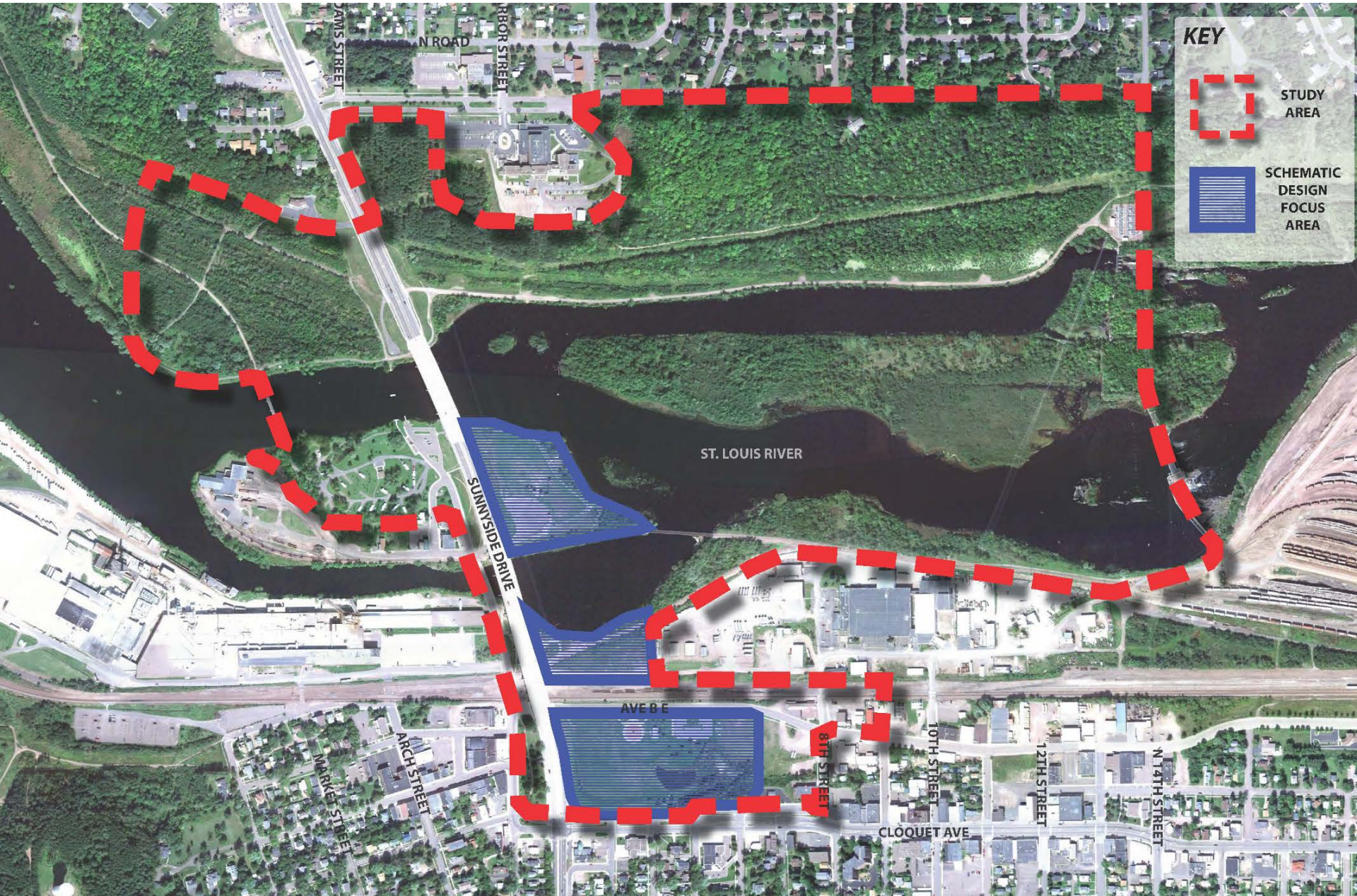
Participate Collaborate

> The City of Cloquet and the Cloquet Waterfront Committee will host a three day design charrette from March 23 – March 25, culminating in a schematic design for Veteran's and Voyageur's Parks.



> The schedule below highlights daily activities and opportunities for community input. For more information visit www.ci.cloquet.mn.us.

| | DAY One 23-Mar | DAY Two 24-Mar | DAY Three 25-Mar |
|----------|--|--|--|
| Time | | | |
| 8:00 AM | | 7:00 - 8:00am Waterfront Committee/City Staff Working Breakfast - Community Meeting #1 Debrief | 8:00-9:00 AM Breakfast Meeting w/ City Staff |
| 9:00 AM | Guided Public Site Tours on the Hour: 8, 9, 10am | Project Team Coordination Meeting | |
| 10:00 AM | | 9:00 - 11:30 AM Develop Alternative Design Concepts | Production Design |
| 11:00 AM | | 10:00-11:AM Technical Meeting #1 Parks and Recreation | |
| NOON | 11:30-1:30 PM Full Team / Waterfront Committee Working Lunch: Review Goals, Opportunities, Issues, Guiding Principles, Program | 11:30-1:PM Review Alternative Concepts with Waterfront Committee/City Staff/Public | Working Lunch |
| 1:00 PM | | Working Lunch - Community Meeting #2 | |
| 2:00 PM | | | |
| 3:00 PM | Organize Alternative Design Options | Develop Preferred Alternative(s) | Production Design |
| 4:00 PM | | | |
| 5:00 PM | | | |
| 6:00 PM | Meeting set up | | Meeting set up |
| 7:00 PM | 6:30 - 8:00PM Community Meeting #1, Issues/Ideas & Programming Workshop | Dinner - Studio Closed to Public | 6:30 - 8:00PM Community Meeting #3, Open House Review of Preliminary Schematic Design |
| 8:00 PM | | | |
| 9:00 PM | | Continue Design Work/Production | |
| Key | Charrette Technical Meetings - Input From City Staff, et. al. | Consultants Prepare Concept Alternatives | Production Design by Consultants |
| | | | Public Meetings- Community Input w/City Staff & Waterfront Committee Participating at Workshop Activities / Discussions, Design Review, and Open House Discussions |

Project Area



KEY

-  STUDY AREA
-  SCHEMATIC DESIGN FOCUS AREA

3/23/15 Site Tours



Review of Previous Plans



Field Verification



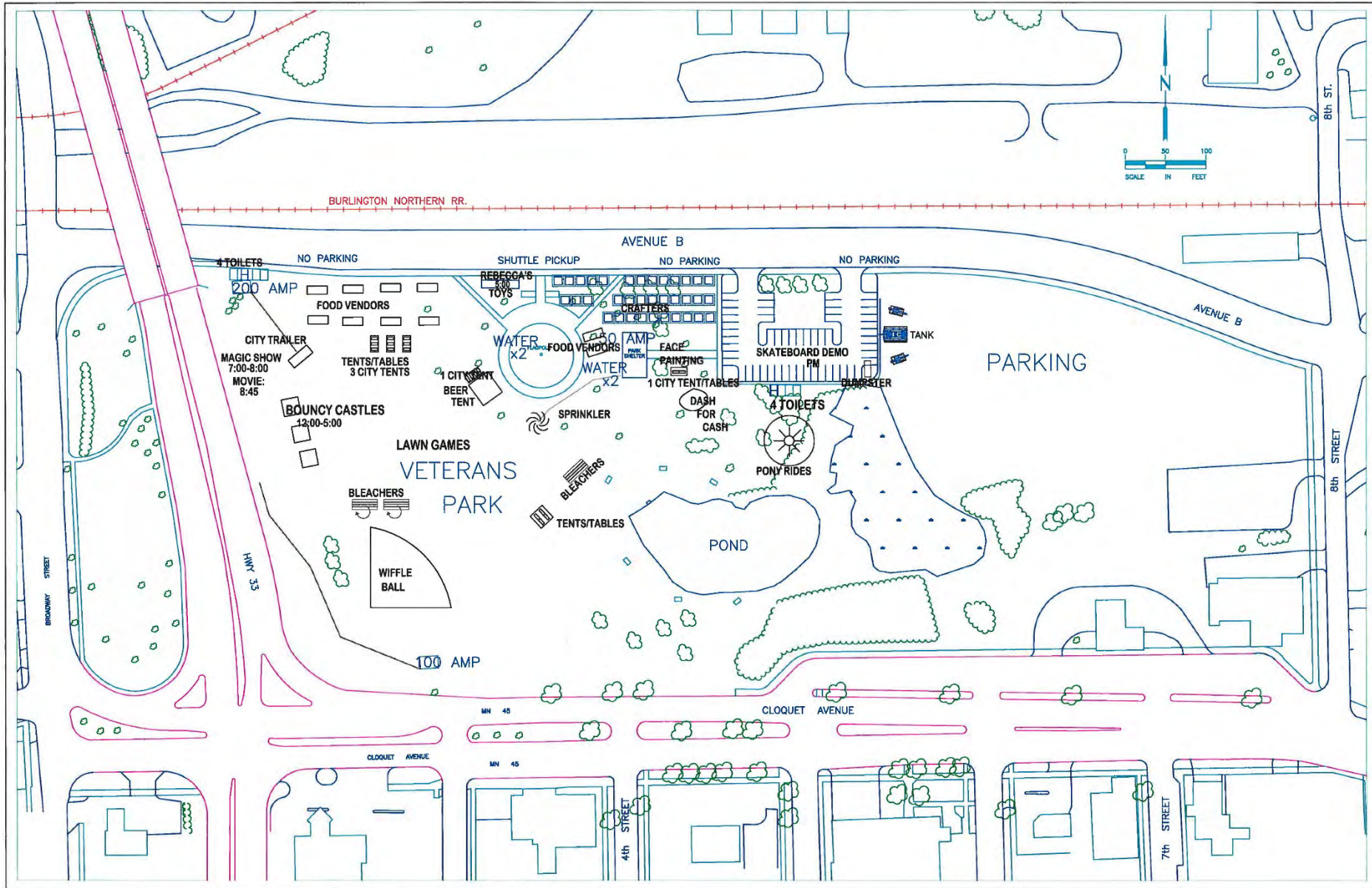
Historical Research



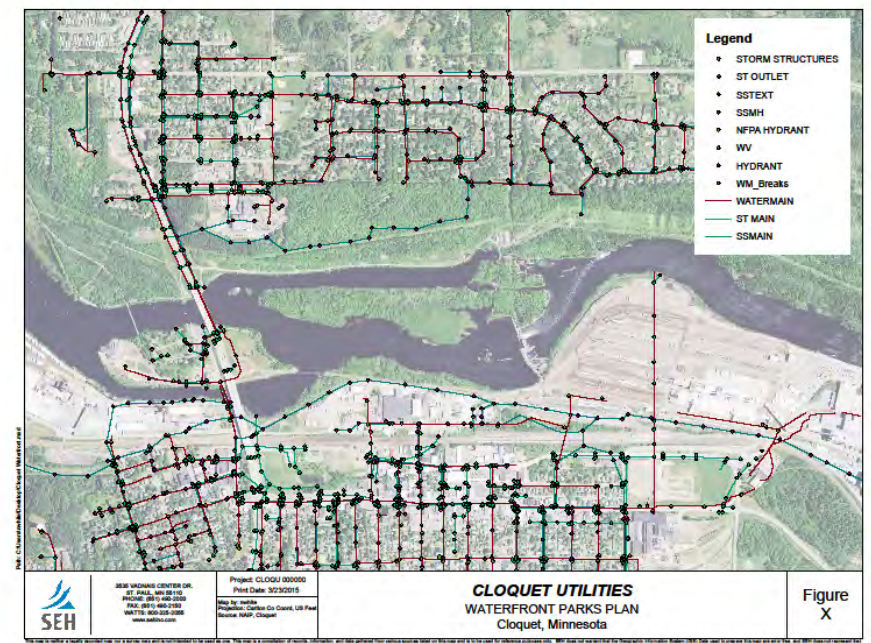
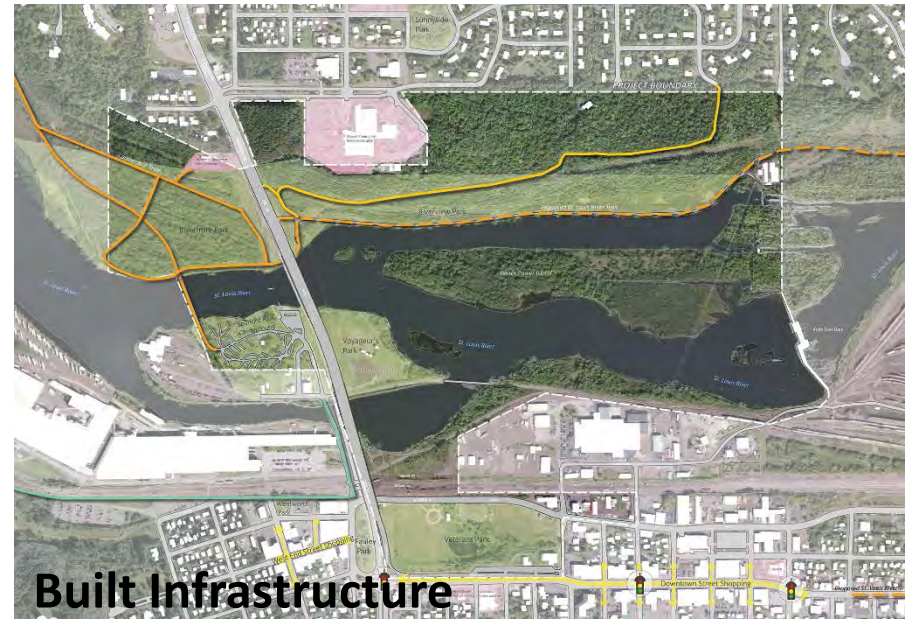
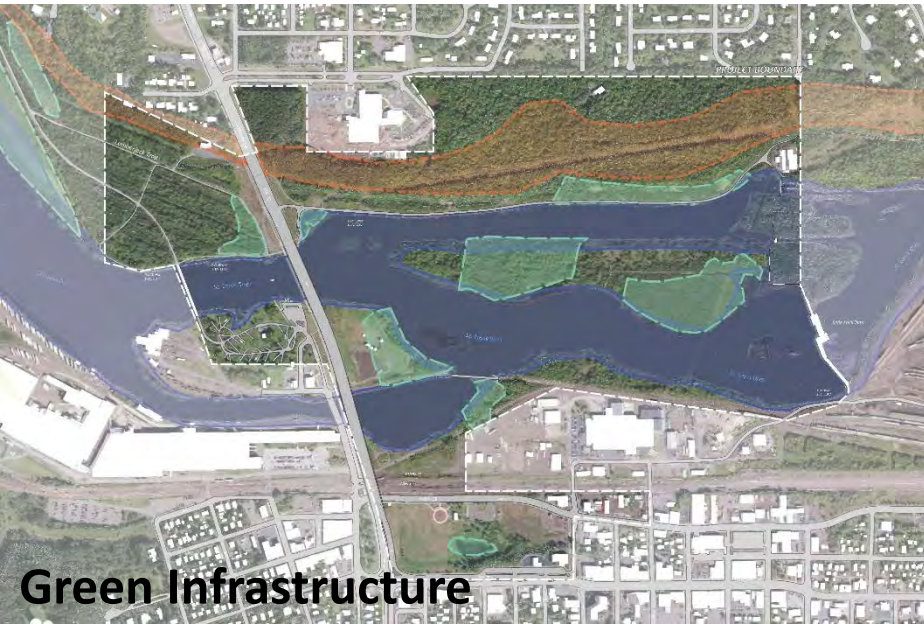
3/23/15 Community Meeting



Understanding Operations and Events



Holistic Analysis



1999 Riverfront Development Task Force – Vision

- Develop the social, cultural, recreational and natural opportunities along the St. Louis River, to become focal points of the Cloquet community, in order to benefit the environment, economy and quality of life;
- Develop the Veteran’s Park site as a center of the community. One that is meaningful, socially and culturally relevant, and a lasting memorial to our veterans;
- Develop pathways, or trails, to connect and integrate the riverfront with other features of the community;
- Do so with a balance between development and natural beauty, and at the same time take into consideration the Design Guidelines set forth by the Community Development Revitalization Master Plan.

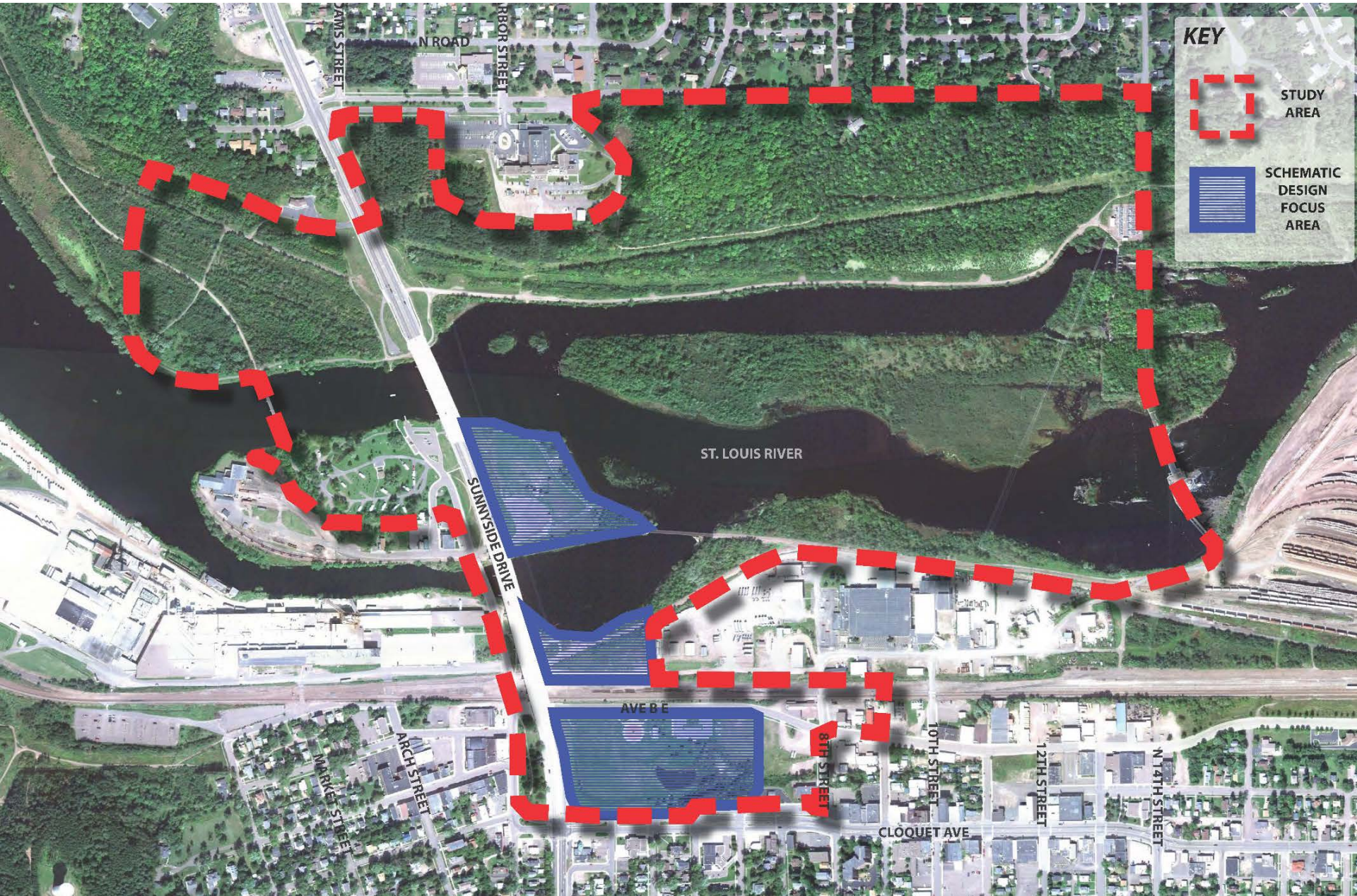
2012 Park Master Plan – Vision

- We believe high quality parks and trails **build a sense of connection between neighbors**. By serving a diverse community, they bind neighbors together through shared experience and play...
- We live in a place carved from the woods and anchored by the river. We plan to **care for our wild spaces**, so that they are healthy and beautiful, and will continue to support the community's well-being...
- Like our predecessors, we know that we can build a foundation for our future if we **invest in our parks** today. We should take a long view and leave a legacy of excellent parks and fiscal responsibility...
- We see strong leadership by staff with **support from enthusiastic volunteers** as the best way to plan, build, program, and maintain our parks and trails....
- Parks **provide unique opportunities for all** members of our diverse community, regardless of age, background, or income, to participate in adventures with friends and neighbors...



1. Leverage the riverfront as a destination for residents and visitors traveling to and thru Cloquet;
2. Provide a range of year-round uses and activities on land and water that balance special events with daily use;
3. Enhance and promote riverfront environment and ecology, leveraging previous development and disturbance for more active uses;
4. Increase and enhance physical, educational, programmatic and economic connections to the riverfront parks;
5. Address and enhance public safety and security;

6. Respect and promote heritage and culture in light of future community needs;
7. Embrace resiliency, with consideration for operations and maintenance;
8. Employ a holistic approach to programming and design of riverfront parks, in the context of each other and overall Cloquet parks system;
9. Strengthen surrounding neighborhoods and businesses;
10. Focus on programming and land uses that benefit and benefit from the river;
11. Continue strategic dialog and planning that leads to optimal balance between public and business uses along the riverfront.

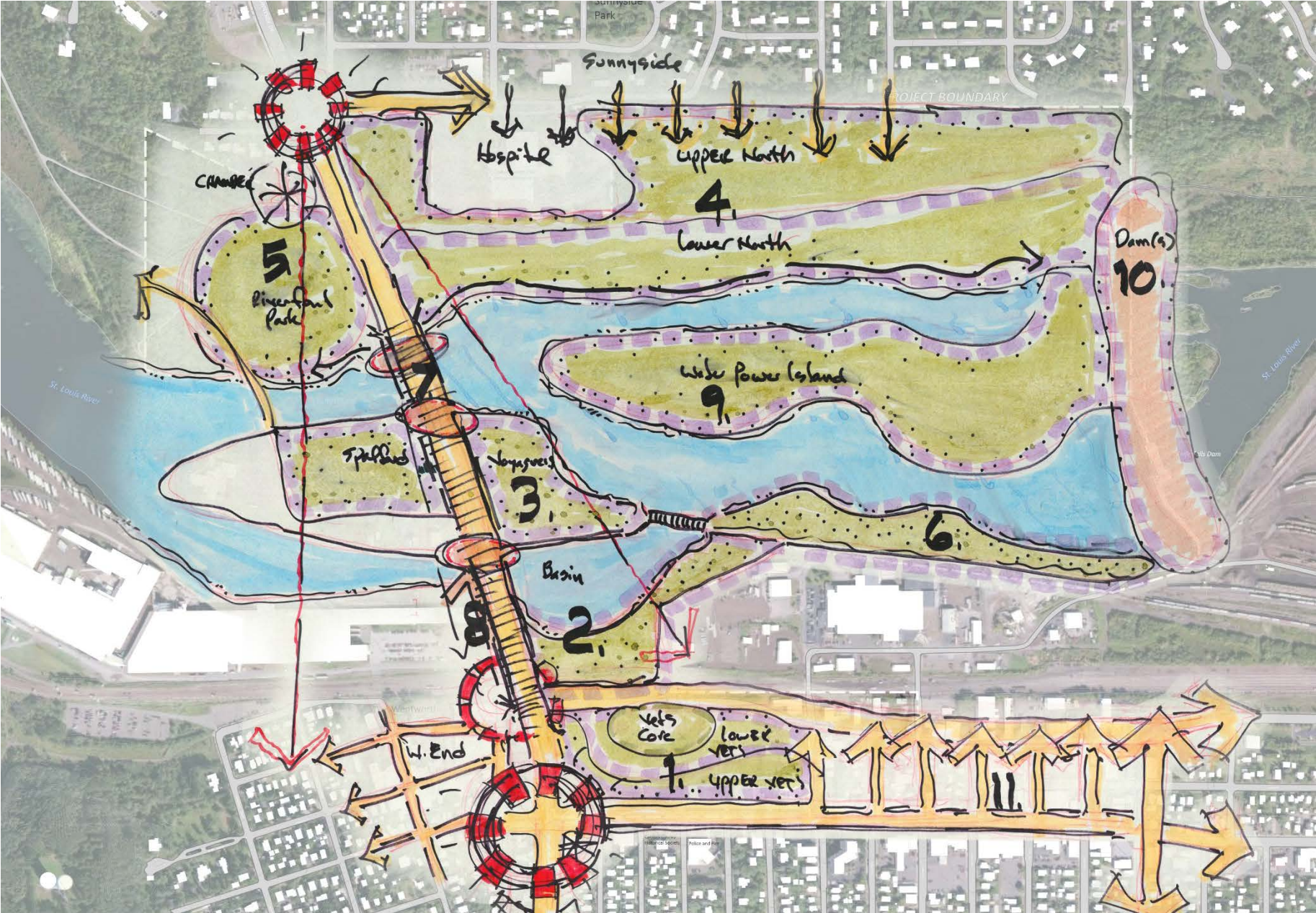
Project Area



KEY

-  STUDY AREA
-  SCHEMATIC DESIGN FOCUS AREA

Project Zones



Opportunities/Program

- Central Location & Easy Access
- Veteran's Park Expansion
 - Central Building
 - Additional Military Equipment
 - Interpretive Signage & Monuments
- Festivals & Event Space
 - 4th of July
 - Others
- Trails & Connectivity to Cloquet Ave.
- Fountain
- Enhanced Landscaping

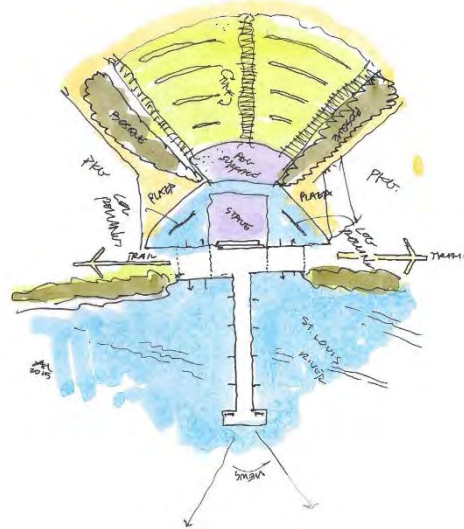
Constraints

- Drainage & Flooding Issues
- Fractured Layout of Existing Elements
- Limited Existing Electrical
- Restroom Facilities
- Lack of Signage
- Military Equipment "Out of Sight"
- Limited Parking
- Yellow Ribbon Community Awareness
- Railroad & Borrowed Landscapes

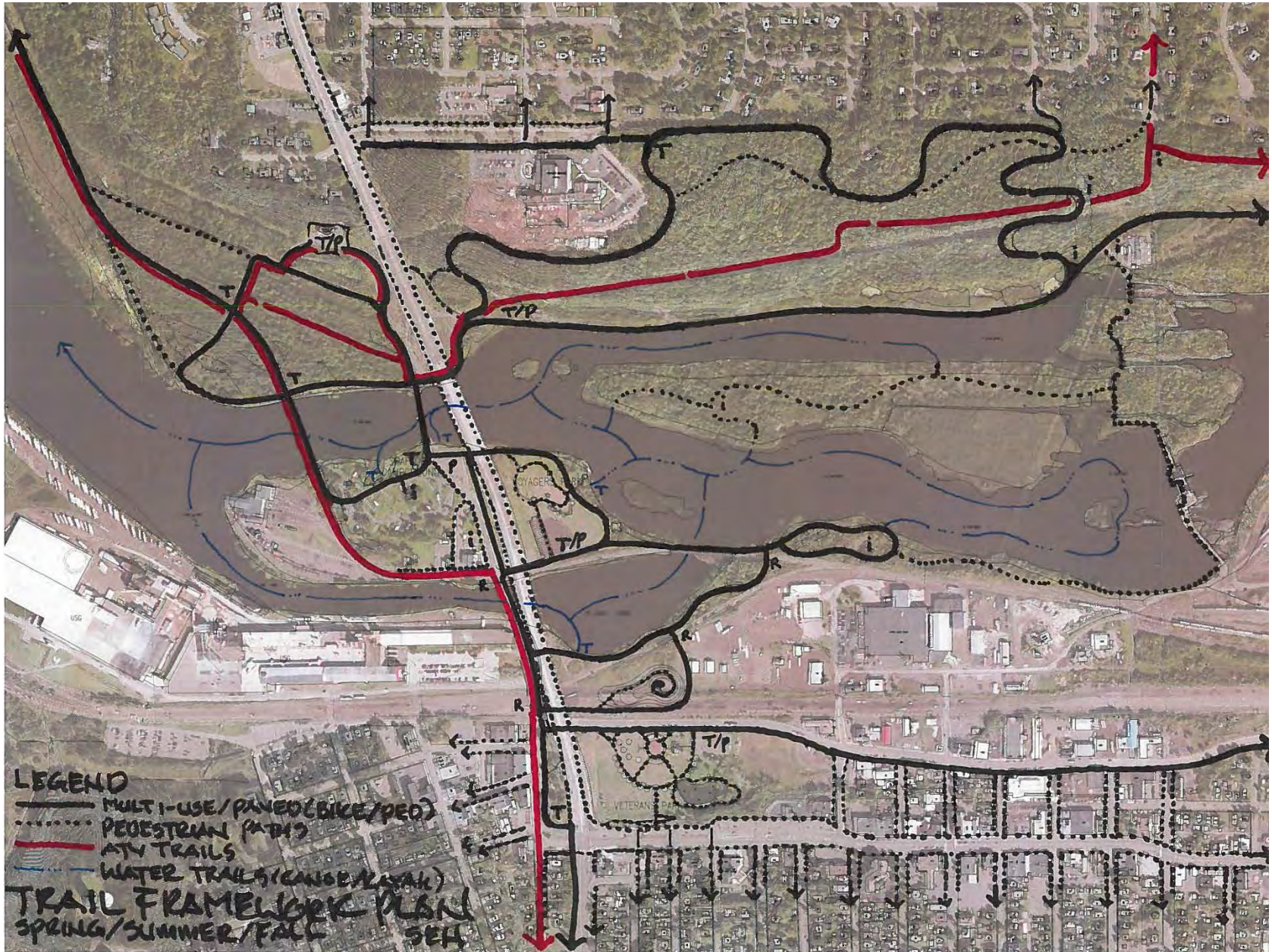
Veteran's Park: Program Ideas



Alternative Development



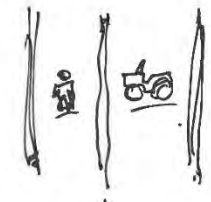
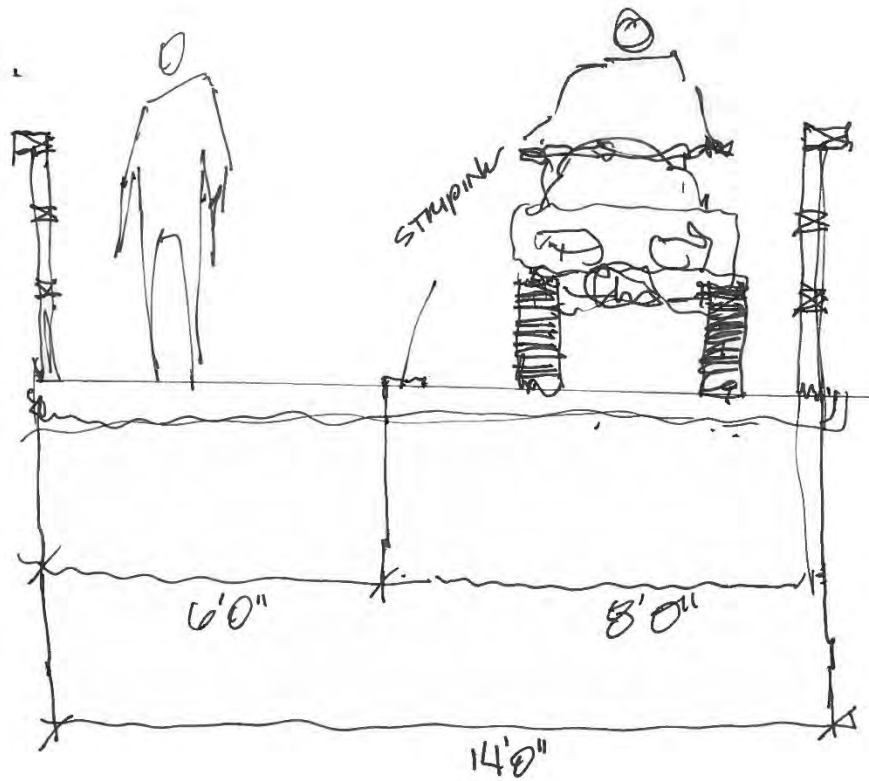
Trail Framework – Spring/Summer/Fall



Trail Framework - Winter



Snow MOBILE /CROSS-COUNTRY SKIING



TRAIL CROSSING
@ DUNLOP ISLAND
BRIDGE

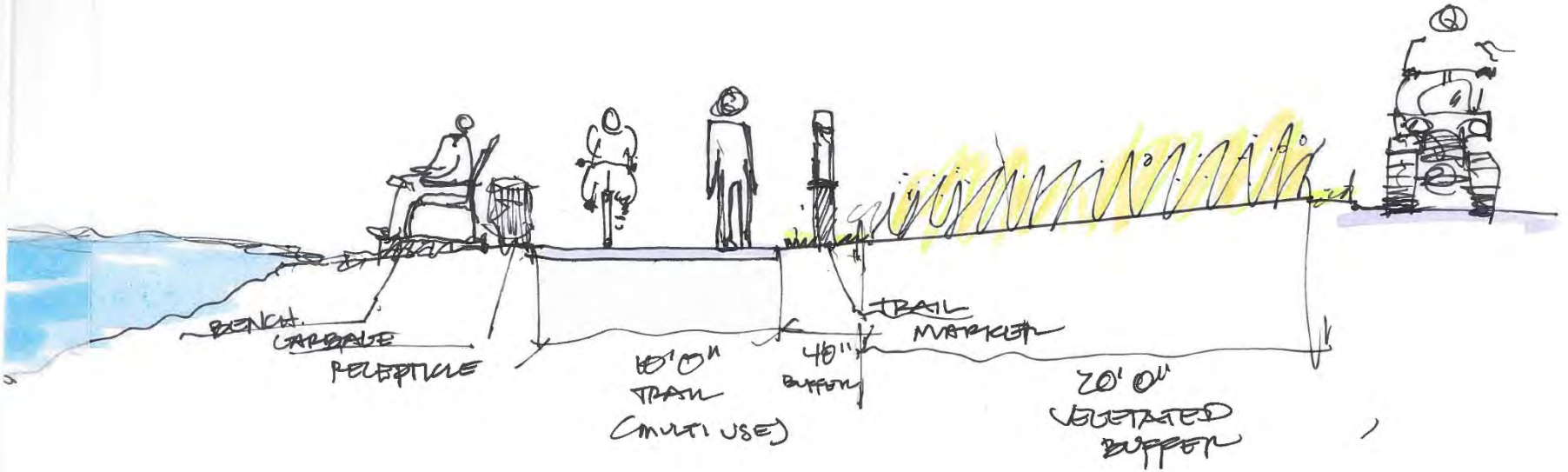
Trail Hierarchy



1:20
10'
5'

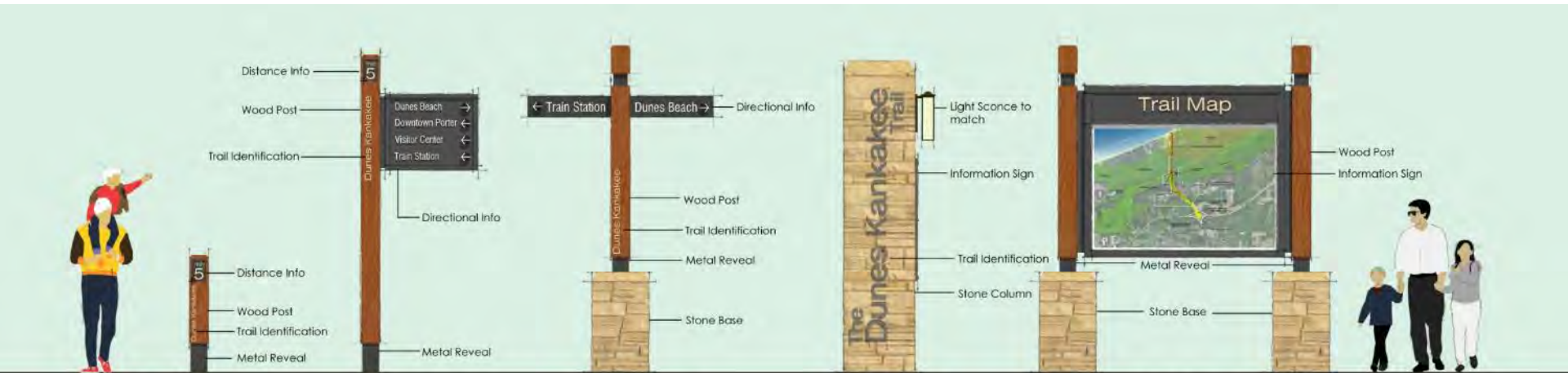
GRADE SEPARATED
TRAIL W/ VEGETATED
BUFFER.

Trail Hierarchy



GRADE SEPARATED
TRAIL w/ VEGETATED
BUFFER @ RIVER
FRONT

Wayfinding and Signage Coordination



Trail Marker

Directional Sign Option 1

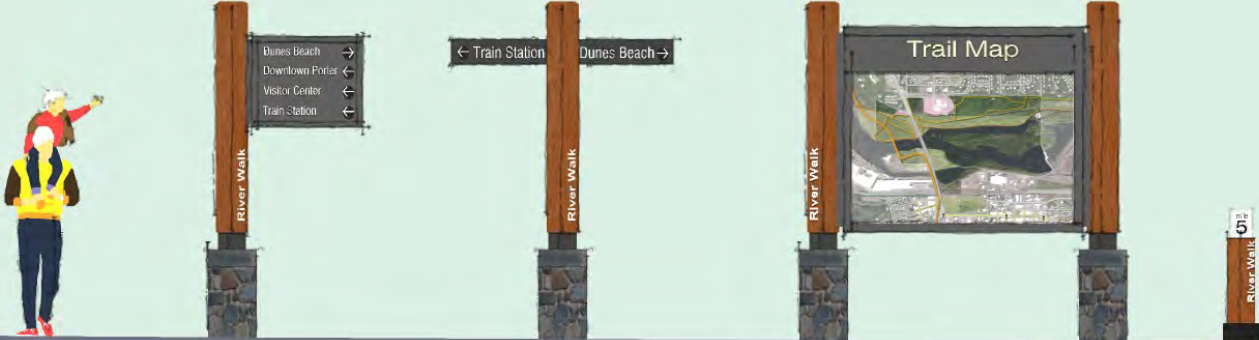
Directional Sign Option 2

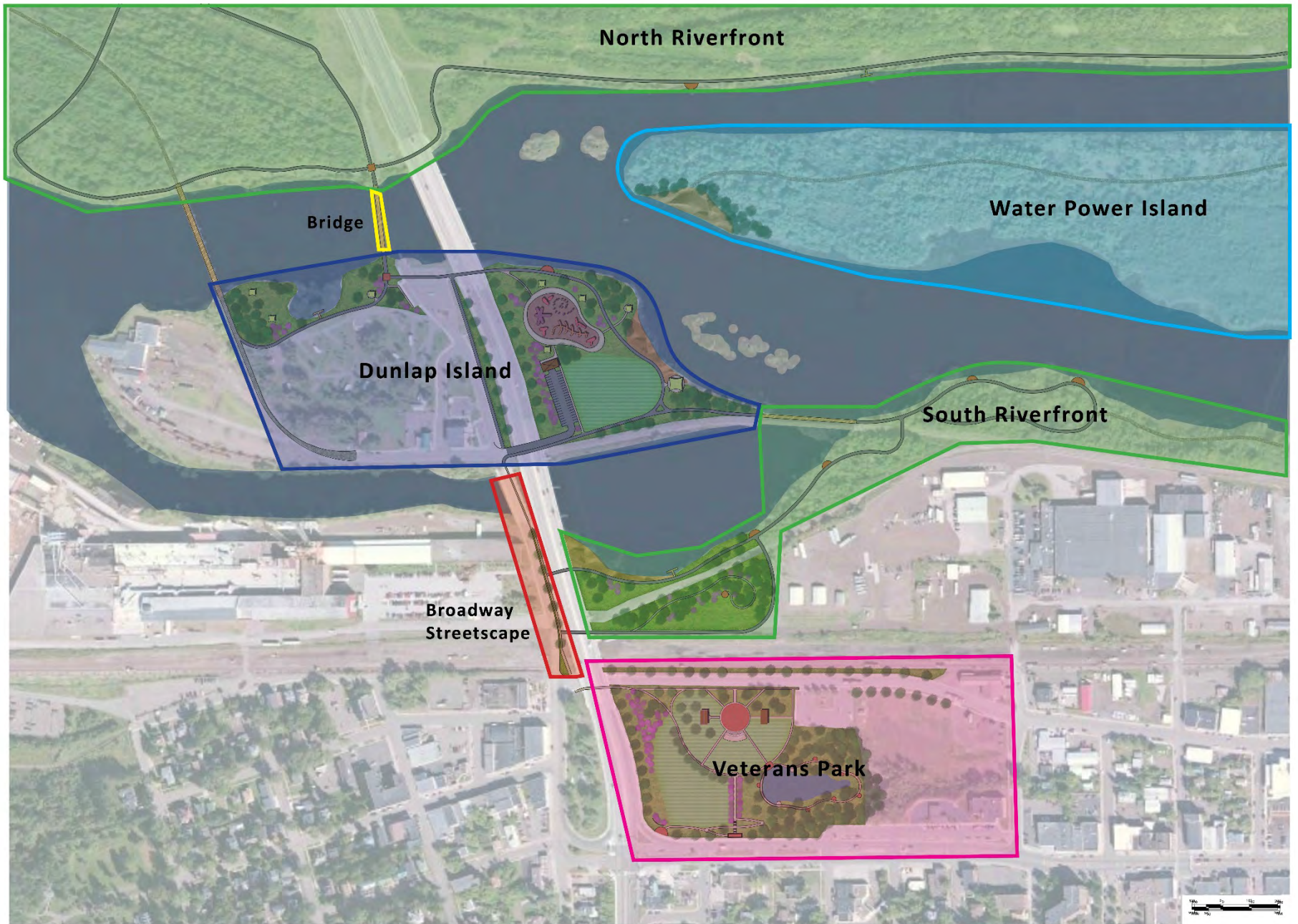
Information Sign Option 1

Information Sign (Double Faced) Option 2



Wayfinding and Signage Coordination





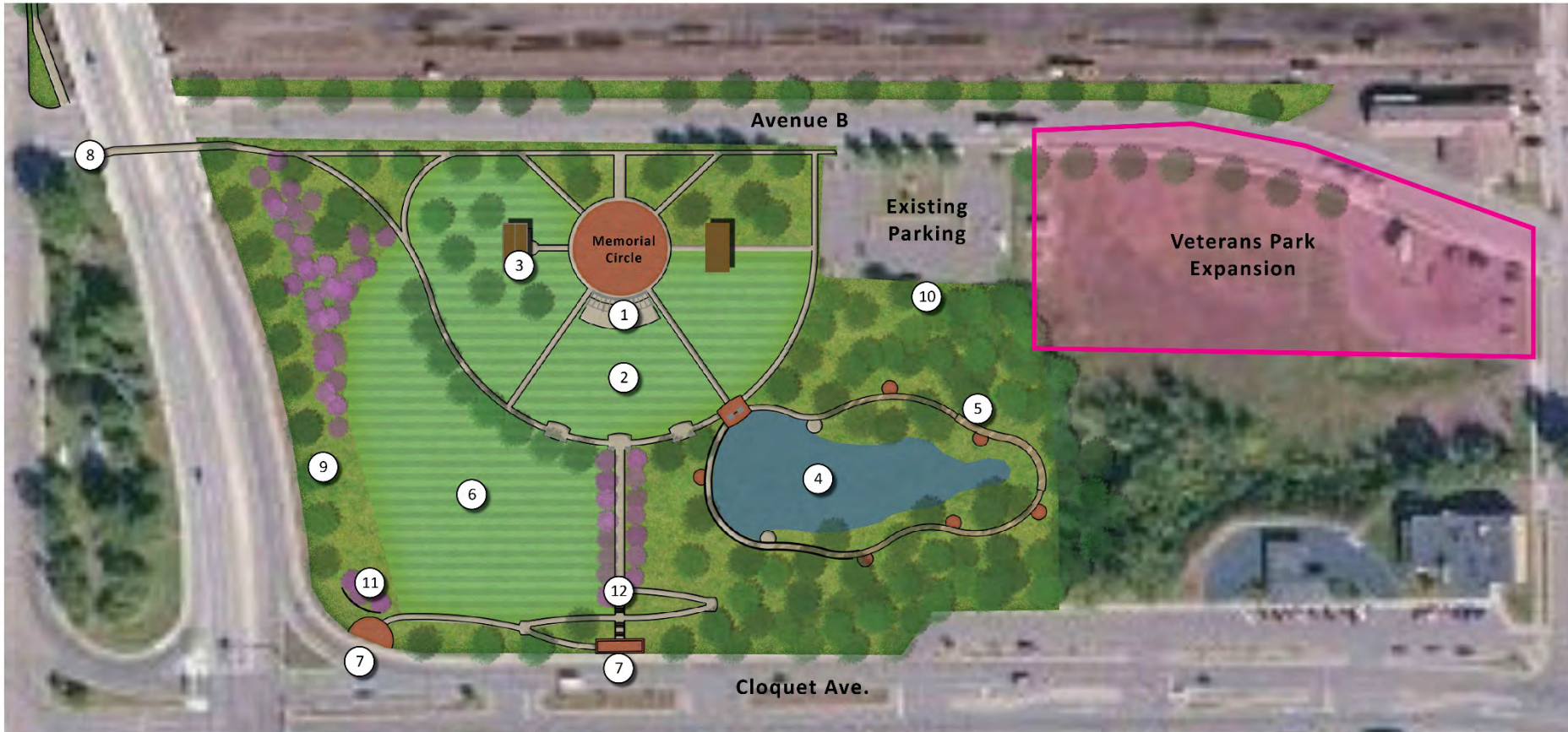
Cloquet Riverfront Project Areas
March 25, 2015



Cloquet Riverfront Proposed Concept Plan
March 25, 2015

- Event
Lawn/Amphitheater/Water Wall
South of Memorial Circle
- Accessible Arrival Procession
from Cloquet Avenue
- Cloquet/Hwy 33 Monument
Signage
- Flex Lawn/Picnic Areas/Shelters
in West Lawn
- Pond Interpretation Loop Trail
and Platform
- Improved/Increased
Toilets/Support Facilities
- Improved Power and Upgrade
Utility Infrastructure
- Historical Interpretation
- Potential Parking Improvements,
including Avenue B On-Street
- Improved Edge/Highway
Visibility
- Avenue B and Hwy 33
Streetscape Enhancement
- Regional Trail Linkages
- Accommodates East Expansion
and Facilities with Land
Acquisition

VETERANS PARK



1 Amphitheater Stage & Memorial Water Wall

4 Improved Reflection Pond

7 Cloquet Avenue Entry Plazas

10 Improved Restroom Facilities

2 Event Lawn

5 Historical & Memorial Interpretation Loop Trail

8 Regional Trail Connection

11 Veterans Park Monument Signage

3 Picnic Grove & Shelter

6 Flex Lawn

9 Highway 33 Landscaping & Visibility

12 Accessible Arrival Procession





VISUALIZATIONS
CLOQUET RIVERFRONT PLAN

AMPHITHEATER WALL


- Water Power Island Access (Visual, Water and Foot via Dam)
- Increased/Improved Water Edge Access
- New Trestle Bridge
- Fishing Platforms/Overlooks
- Kayaking/Canoeing
- Train Viewing on Overlook Hill
- Historical Interpretation (Mill Ruins)
- Veteran's Park Backdrop
- Public Parking Under Bridge
- Improved Rail Road Crossings
- Improve Truck Access Management



SOUTH RIVERFRONT



1 New Trestle Bridge

2 Fishing Platforms/Overlooks

3 Train Viewing on Overlook Hill
Backdrop for Veterans Park

4 Improved Railroad Crossings

5 Improved Truck Access Management

6 Public Parking under Bridge

7 Historical Interpretation (Mill Ruins)

8 Nature Trails

9 Kayak/Canoe Beach



VISUALIZATIONS
CLOQUET RIVERFRONT PLAN

BROADWAY AVE




- Picnic Grove with Large Event Shelter for Public Events
- Destination Playground
- Improved Camping/Public Interface
- Improved/Increased Toilets/Support Facilities
- Historical/Fire Interpretation
- Expanded Holidays Lights to Voyageur
- Ice Skating Ribbon with Warming House and Fire Pit
- Relocated Voyageur Statue to Chamber Site
- Improved Rail Road Crossings
- Improved Truck Access Management
- Parking Reconfiguration and Improvements
- Kayaking/Canoeing Launch/Landings
- Log Rolling/Regional Events
- New Pedestrian Bridge To North/Chamber
- Enhanced Trailheads
- Broadway Streetscape
- Pedestrian Lighting

DUNLAP ISLAND



① New Pedestrian & Bicycle Bridge

② Existing ATV Bridge

③ Water Recreation Basin

④ Picnic Shelters/Groves

⑤ ATV Trail Route

⑥ Parking Reconfiguration & Improvements

⑦ Event & Flex Lawn

⑧ Large Event Shelter

⑨ Kayak/Canoe Beach

⑩ Destination Playground

⑪ Restrooms & Warming Shelter

⑫ Ice Skating Ribbon





Destination Play



Winter Activity Center



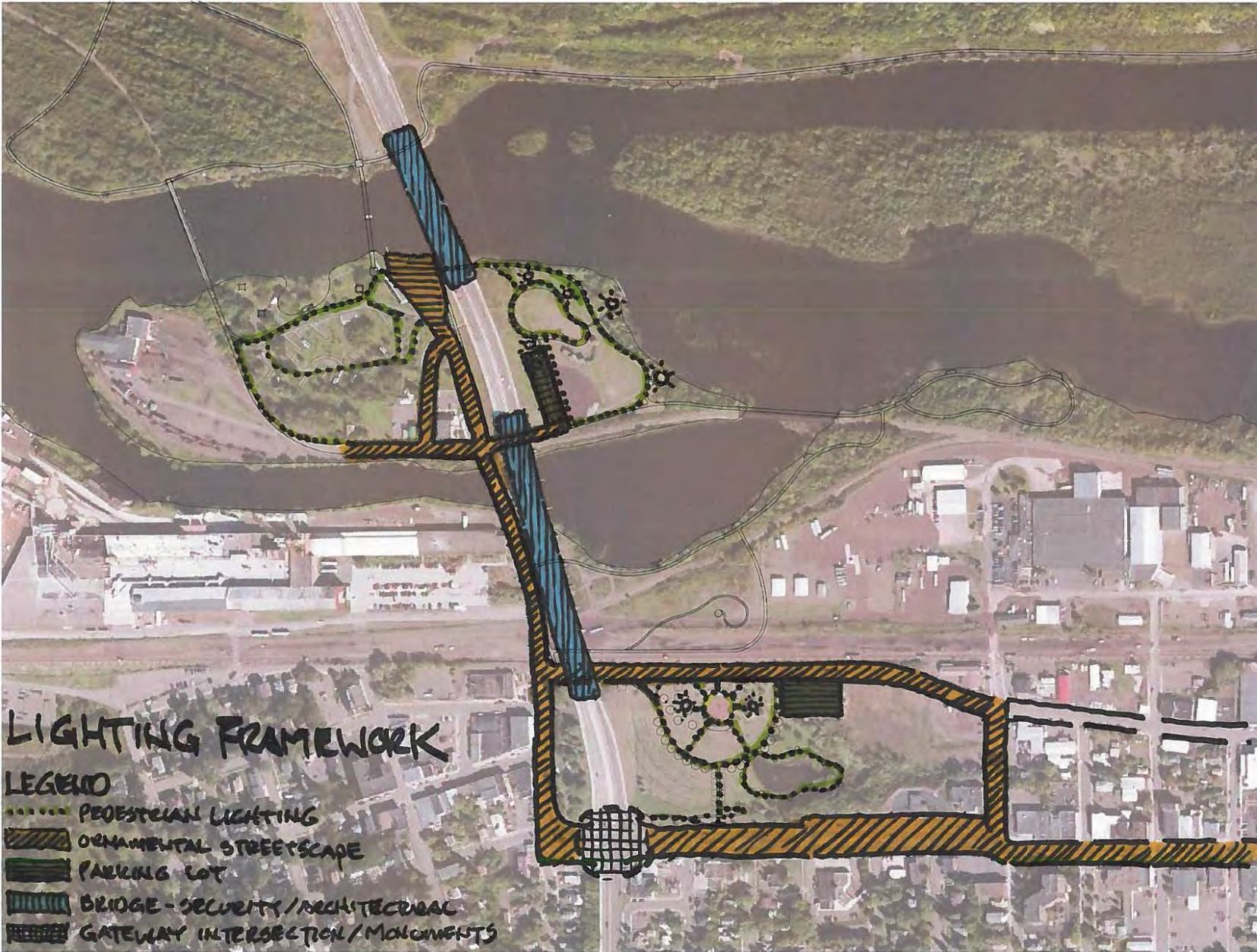
River North

- Fishing Platforms/Overlooks
- Hierarchy of All Season Trail, including Bike/Ped Loops
- Improved Trailheads
- Habitat Restoration
- Disk Golf



Overall

- Connected Riverwalk
- Improved and Increased Trailheads
- Trail Loops and Hierarchy
- Overlooks
- Consistent Design Standards for Furnishings and Lighting
- Improved Signage/Wayfinding/Furnishings
- Circuit Training
- Future Expansion Considerations



LIGHTING FRAMEWORK

LEGEND

- PEDESTRIAN LIGHTING
- ▨ ORNAMENTAL STREETSCAPE
- ▬ PARKING LOT
- ▧ BRIDGE - SECURITY / ARCHITECTURAL
- ▩ GATEWAY INTERSECTION / MONUMENTS



Cloquet Riverfront Proposed Concept Plan
March 25, 2015

Date: 3/25/2015

SEH: CLOQU - 130691

RIVERFRONT MASTER PLAN
CLOQUET, MINNESOTA
PRELIMINARY ENGINEER'S OPINION OF PROBABLE
CONSTRUCTION COST SUMMARY

| <i>AREA 1: VETERANS PARK</i> | |
|---|-----------------------|
| <i>VETERAN'S PARK GRAND TOTAL</i> | <i>\$2,688,930.00</i> |
| <i> </i> | |
| <i>AREA 2: SOUTH RIVERFRONT</i> | |
| <i>SUBTOTAL EXCLUDING BRIDGE</i> | <i>\$578,972.75</i> |
| <i>SUBTOTAL FOR BRIDGE</i> | <i>\$1,750,000.00</i> |
| <i>SOUTH RIVERFRONT GRAND TOTAL</i> | <i>\$2,328,972.75</i> |
| <i> </i> | |
| <i>AREA 3: DUNLAP ISLAND</i> | |
| <i>SUBTOTAL EXCLUDING BRIDGE</i> | <i>\$3,189,451.25</i> |
| <i>SUBTOTAL FOR BRIDGE</i> | <i>\$1,375,000.00</i> |
| <i>DUNLOP ISLAND GRAND TOTAL</i> | <i>\$4,564,451.25</i> |
| <i> </i> | |
| <i>GRAND TOTAL</i> | |
| <i>RIVERFRONT MASTER PLAN PARK SUBTOTAL</i> | <i>\$6,457,354.00</i> |
| <i>RIVERFRONT MASTER PLAN BRIDGE SUBTOTAL</i> | <i>\$3,125,000.00</i> |

Discussion



Thank You





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: March 27, 2015

ITEM DESCRIPTION: Local Option Sales Tax Update

Requested Action

The City Council recently requested an update on the local option sales tax and is asked to discuss the status of the program.

Background/Overview

The citizens of Cloquet approved the local option sales tax during the 2012 General Election. The tax then became effective on April 1, 2013.

Prior to the election, the City had estimated annual proceeds from the sales tax ranging from \$500,000 to \$625,000 per historical information provided by the Minnesota Department of Revenue. Based upon these estimates, the City was authorized through its legislation to collect up to \$16,500,000 over a thirty year period. The sales tax would expire when either the \$16,500,000 was raised or when the thirty year period was reached.

The City itself does not administer, collect or enforce the tax system. The Department of Revenue, through a formal agreement, has full responsibility for these items. The State, on a monthly basis, notifies the City of the amount it has collected, identifies any administrative fees, adjustments, corrections, or unique circumstances that would reduce collection, and then reimburses the City the difference.

As previously indicated to the Council, collections to date have exceeded the estimates of the Department of Revenue. Receipts are approximately as follows:

| | | | | |
|-------------|---------------------------|-------|-------|-----------------|
| 2013 | (7 months) | | \$ | 579,003.70 |
| 2014 | (12 months) | | \$ | 989,000.04 |
| 2015 | (3 months to date 3/30/15 | | \$ | 272,402.63 |
| Total | | | | \$ 1,840,406.37 |
| Average/mo. | | | | \$ 83,654.84 |

As a reminder, the revenues received from the taxes can be used for the following:

- 1) construction and completion of park improvement projects including, but not limited to: St. Louis River Front improvements; Veterans Park construction and improvements; improvements to Hilltop Park soccer complex and Braun Park baseball complex; capital equipment and building/grounds improvements at the Pine Valley Park/Pine Valley Hockey Arena/Cloquet Area Recreation Center; and, development of pedestrian trails within the City.

- 2) Extension of utilities and the construction of all improvements associated with the development of property adjacent to Highway 33 and Interstate Highway 35, including payment of all debt service on bonds issued for these.
- 3) Engineering and construction of infrastructure improvements including, but not limited to, storm sewer, sanitary sewer, and water identified as part of the City's Comprehensive Land Use Plan.

Neither the City Council nor the legislation dedicated any specific level of or share of the sales tax to any of these three project areas (parks, economic development, infrastructure).

An outcome of the sales tax authorization was the completion of a long range Parks Master Plan. This plan is now being supplemented by the Riverfront/Waterfront Parks Plan. These two documents were critical to assist with the identification of priorities related to park improvements. The City also updated the Comp Plan to detail the various infrastructure and park projects that might qualify for sales tax proceeds.

What projects have been identified to date for funding by sales tax proceeds?

To date, the Council has only identified two projects which will be funded primarily by sales tax. Those two projects include:

- Pinehurst Park\$1,107,000
- Sunnyside Tennis Courts.....\$269,000

What are the next steps?

Once the City receives the final report on the Riverfront/Waterfront Study and the associated cost estimates, the City will have the information it needs related to park improvements. These sales tax monies should be leveraged with other grant opportunities, local and regional partnerships and in-kind services. In fact, future projects may be shelved until such time that outside funding can be obtained to help stretch the project dollars.

The Council will be in position as part of the development of the 2016 budget and 2016-2020 Capital Improvement Plan to fully discuss capital priorities in terms of using sales tax monies.

Policy Objectives

See above.

Financial/Budget/Grant Considerations

See above.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached


- None.



ADMINISTRATIVE OFFICES

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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Brian Fritsinger, City Administrator 
Date: March 26, 2015

ITEM DESCRIPTION: Future Work Session Agenda Planning

Proposed Action

The City Council is asked to provide input for the upcoming City Council work session meeting agenda.

Background/Overview

The City Council typically meets in a work session format prior to each regular City Council meeting to discuss items not otherwise on the regular meeting. To ensure that the City Council is provided opportunity to give input regarding future work session agenda items, staff is suggesting the Council be given an opportunity at each meeting.

Approximately 5 minutes will be set aside at the start of each work session to discuss the next work session meeting. For this purpose, attached the Council will find the tentative agenda and proposed discussion items for the upcoming work session meeting.

Policy Objectives

Does the City Council agree with the agendas as proposed?

Financial/Budget/Grant Considerations

None.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Upcoming agenda item list.

2015
TENTATIVE UPCOMING COUNCIL WORK SESSION
AGENDA ITEMS

APRIL 21

Work Session:

PK/PW Waterfront Park Plan Overview

PD/PW 18th Street Truck Route/Ordinance Review

MAY 5

Work Session:

ADM City Council Retreat Follow-up

ADM Final Facilities Study Q&A

MAY 19

FIN 2016 CIP/Budget Process

CLOQUET CITY COUNCIL WORK SESSION
Tuesday, March 17, 2015, 4:30 p.m.
Meeting Minutes

Present: Bjerkness, Kolodge, Langley, Maki, Rock, Wilkinson and Mayor Hallback.
Absent: None.
Staff: Fritsinger, Butcher and Stracek.
Other: Steve Micke, Shelly Peterson, Russ Smith, Ross Peterson, Connie Christiansen, Jana Peterson and Jamie Lund (Pine Journal).

ANNUAL JOINT MEETING WITH THE ECONOMIC DEVELOPMENT AUTHORITY

Mr. Fritsinger began with introductions and noted that the City Council and EDA try to meet on an annual basis to review the past years activity and the goals for the coming year. Ms. Butcher then began with a PowerPoint presentation detailing a review of the 2014 year. The EDA worked on the following projects: housing study, Northland Connection, business retention visits, I-35/Hwy 33 development including an RFP/design for the DNR property, farmers market, new business park signage, joint meeting with the HRA, and the development of a new Facebook page.

EDA Chairwoman Shelly Peterson then provided an overview of the goals of the EDA for 2015. These goals include: developing the Business Park; promoting the development and maintenance of housing through implementation of the Housing Study; developing land along Highway 33/I-35 for retail development; Downtown redevelopment/revitalization; develop business and community marketing program; existing business retention and growth; and providing proactive economic and community development leadership and support. The Council and EDA discussed several of the strategies involved and the Council expressed support for this agenda.

The meeting was then opened up for general discussion on economic development efforts and the goals identified. The Council asked if the list was too large and whether or not it should be more focused and conservative. The group questioned how could there be some refocus to narrow down the list. The members of the EDA were encouraged and interested in being more involved in helping accomplish the goals. The Council noted that it believed the first four goals were really good and high priorities. Councilor Wilkinson suggested that at some point in the future the City Council be provided an overview of our economic development funding programs. The Council agreed that this would be helpful to better understand what we offer and how it works. It would also help do a better job in educating the community to these programs.

The Council inquired as to how the City EDA and County EDA work together these days. Ms. Christiansen noted that there is a very high level of communication that takes places usually on a daily basis. The City is represented on the County EDA by Commissioner Dick Brenner. The County is currently involved with approximately 6 different projects in the community.

Hearing no further questions, the Council thanked the EDA for their time and energy in helping the City with its economic development efforts.

OTHER/FUTURE AGENDAS

The Council liked the new project sign at Pinehurst Park but noted there was no mention of the sales tax funding being used. The Council asked that they be updated on Clean Up Day plans in the near future.

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

Respectfully Submitted:



Brian Fritsinger
City Administrator

Council Chambers, Cloquet, Minnesota
7:00 o'clock P.M. March 17, 2015

Regular Meeting.

Roll Call.

Councilors Present: Bjerkness, Kolodge, Langley, Maki, Rock, Wilkinson, and
Mayor Hallback.

Councilors Absent: None.

AGENDA

MOTION: Councilor Wilkinson moved and Councilor Bjerkness seconded the motion to approve the March 17, 2015 agenda. The motion carried unanimously (7-0).

MINUTES

MOTION: Councilor Kolodge moved and Councilor Maki seconded the motion to approve the minutes of the work session and regular meeting of March 3, 2015. The motion carried unanimously (7-0).

CONSENT AGENDA

MOTION: Councilor Bjerkness moved and Councilor Maki seconded the motion to adopt the consent agenda of March 17, 2015 approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 15-22, Authorizing the Payment of Bills.
- b. On Sale Intoxicating Liquor and Sunday On Sale Intoxicating Liquor License - Pedro's Grill & Cantina.

PUBLIC HEARINGS

None.

PRESENTATIONS

Mayor Hallback read a proclamation proclaiming April 7 as National Service Recognition Day.

TOBACCO LICENSE SUSPENSION - SUNNYSIDE LIQUOR

MOTION: Councilor Bjerkness moved and Councilor Kolodge seconded the motion to suspend the retail tobacco license at Sunnyside Liquor, 607 Sunnyside Drive, for ten (10) days effective upon proper notice being provided to the business owner. The motion carried (6-1) with Councilor Langley opposed.

FRIENDS OF ANIMALS CONTRACT FOR SERVICES

MOTION: Councilor Wilkinson moved and Councilor Maki seconded the motion to adopt the revised Contract for Services between the City of Cloquet and Friends of Animals, authorize the execution of such agreement, and table action on the request for additional monies to operate the animal shelter. The motion carried unanimously (7-0).

NEW CINGULAR WIRELESS LEASE FOR ANTENNA TOWER

Councilor Bjerkness noted that the use of this property as proposed as an antenna tower is not the highest and best use of the property. He had further concerns regarding safety and the impact of the tower on adjacent properties.

MOTION: Councilor Bjerkness moved and Councilor Rock seconded the motion to not approve the Option and Lease Agreement between the City and New Cingular Wireless PCS, LLC. The motion carried (4-3) with Councilors Maki, Kolodge and Langley opposed.

CONDITIONAL USE PERMIT TO ALLOW A CELLULAR TOWER IN THE LIGHT INDUSTRY DISTRICT

MOTION: Councilor Bjerckness moved and Councilor Wilkinson seconded the motion to adopt **RESOLUTION NO. 15-24A, A RESOLUTION DENYING THE CONDITIONAL USE PERMIT TO ALLOW A CELLULAR TOWER IN THE LIGHT INDUSTRY DISTRICT.** The motion carried (5-2) with Kolodge and Maki opposed.

WHEREAS, SAC Wireless (AT&T) is proposing a Conditional Use Permit for a 190 foot mono-pole cellular tower in the Light Industry District; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and property owners within 350 feet were sent notice. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on March 10, 2015 at which time Zoning Case / Development Review No. 15-02 was heard and discussed; and

WHEREAS, the property of the proposed Conditional Use Permit is located west of Scanlon Way and north of Carlton Avenue and is legally described as follows:

That portion of the Northwest Quarter of the Northeast Quarter (NW ¼ of NE ¼) of Section 24, Township 49, Range 17 West, described as follows: Commencing at the Southeast corner of said forty, thence North on East forty line 170 feet to the point of beginning; thence West parallel to South forty line 600 feet; thence North parallel to East forty line 500 feet; thence East parallel to South forty line 315 feet, more or less, to a point lying 50 feet Southwest of the West State Highway 45 right of way; thence Southeasterly along a line parallel to and 50 feet Southwest of said highway right of way to a point on the East forty line; thence South on East forty line 195 feet, more or less, to the point of beginning. and

WHEREAS, the Planning Commission reviewed the staff report and recommended approval of the Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it denies the Conditional Use Permit for a 190 foot mono-pole cellular tower in the Light Industry District for to the following reason:

1. The City did not join into a lease agreement with the applicant to allow the cell tower to be located on City property.

KIEHN OBJECTION TO WHITE PINE TRAIL ASSESSMENT

The City Council discussed the written objection by Richard and Annette Kiehn. The City Council reached consensus that there was benefit to the property and that the potential exists for additional development that would access White Pine Trail.

MOTION: Councilor Rock moved that the City Council adopt Resolution No. 15-25(B). The motion failed due to a lack of a second.

MOTION: Councilor Kolodge moved and Councilor Langley seconded the motion to adopt **RESOLUTION NO. 15-25, RESOLUTION ADOPTING ASSESSMENT FOR THE IMPROVEMENT OF WHITE PINE TRAIL FROM SPRING LAKE ROAD TO TRETTEL LANE AND ALSO TRETTEL LANE FROM WHITE PINE TRAIL TO AIRPORT ROAD.** The motion carried (4-3) with Councilors Maki, Rock and Wilkinson opposed.

WHEREAS, In 2014, the City Council received an engineering study to improve and install bituminous pavement on White Pine Trail from Spring Lake Road to Trettel Lane and also Trettel Lane from White Pine Trail to Airport Road; and

WHEREAS, The Cloquet City Council on April 15, 2014, held a hearing to consider the improvement of these sections of White Pine Trail and Trettel Lane; 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 3, 2015, and at said meeting and time all parties interested would be given an opportunity to be heard; and

WHEREAS, On March 3, 2015, the City Council tabled action on the proposed assessment for Richard and Annette Kiehn to allow opportunity to consider their written objection to the proposed assessment; and

WHEREAS, On March 17, 2015, the City Council met and found no merit to the objection to the proposed assessment due to both the current benefit received as a result of the project and in regards to the benefit received for the potential for future development of the undeveloped property along White Pine Trail owned by Richard and Annette Kiehn.

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 assessment shall be payable in equal annual installments extending over a period of ten (10) years and shall bear interest at a rate of eight percent (8%) per annum from April 3, 2015. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to April 3, 2015. 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. 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.

LEBRASSEUR OBJECTION TO 22ND STREET ASSESSMENT

The City Council discussed the written objection by Corey LeBrasseur. The City Council discussed the City's current assessment policy as it relates to the assessment of corner lots and double frontage lots. The City Council reached consensus that there was benefit to the property.

MOTION: Councilor Maki moved and Councilor Kolodge seconded the motion to adopt **RESOLUTION NO. 15-26, ADOPTING THE FINAL ASSESSMENT FOR 321 – 22ND STREET ASSOCIATED WITH THE 2014 IMPROVEMENT OF 22ND STREET AS ORIGINALLY PROPOSED AT THE MARCH 3, 2015 ASSESSMENT PUBLIC HEARING.** The motion carried (6-1) with Councilor Rock opposed.

WHEREAS, The Cloquet City Council on March 18, 2014, held a hearing to consider the improvement of these sections of 22nd Street and Selmsers Avenue; 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 3, 2015, and at said meeting and time all parties interested would be given an opportunity to be heard; and

WHEREAS, an objection was received from Corey B. LeBrasseur, the owner of 321 – 22nd Street (Parcel 06-075-0340); and

WHEREAS, the City Council has reviewed the objections raised by Mr. LeBrasseur and finds no merit to the objections.

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

1. Such assessment, for Parcel 06-075-0340 shall remain as originally proposed at the March 3, 2015 public hearing in the amount of \$7,266.43 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 eight percent (8%) per annum from April 3, 2015. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to April 3, 2015. 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.

CALVERLY 22ND STREET ASSESSMENT DEFERRAL

The City has not yet received any of the required property and income information from Ms. Calverly. The Council took no action and will consider this application at its next meeting.

WATERFRONT COMMITTEE APPOINTMENT

MOTION: Councilor Bjerkness moved and Councilor Rock seconded the motion to appoint Clarence Badger to the Waterfront Committee with the purpose of developing plan design for the various riverfront parks. The motion carried unanimously (7-0).

2015 EMPLOYEE PAY PLAN

MOTION: Councilor Langley moved and Councilor Wilkinson seconded the motion to approve the 2015 Pay Plan effective retroactive to 01/01/15. The motion carried unanimously (7-0).

SUPPORTING INCREASE IN CITY LGA APPROPRIATION

MOTION: Councilor Wilkinson moved and Councilor Maki seconded the motion to adopt **RESOLUTION NO. 15-23, A RESOLUTION SUPPORTING LOCAL GOVERNMENT AID APPROPRIATION**. The motion carried unanimously (7-0).

WHEREAS, LGA is a vital state-funded property tax aid and equalization program that restrains the growth of local property taxes through the distribution of state funding to cities based on an objective formula of needs; and

WHEREAS, LGA seeks to equalize the vastly different tax bases of property-poor and property-wealthy cities ensuring Minnesotans have the required city services necessary for a good quality of life and public safety; and

WHEREAS, LGA has positively assisted recovery from the Great Recession by allowing critical reinvestments in infrastructure necessary to economic growth and the hiring and maintaining of essential staff positions to ensure effective and efficient administration of local government; and

WHEREAS, LGA has favorably affected communities, including the City of Cloquet, by allowing the City to pursue a variety of capital equipment and infrastructure improvements.

WHEREAS, H.F. 685 and S.F. 874 have been introduced with bipartisan authorship and support to increase LGA funding by \$45.5 million by 2017, restoring it to its 2002 level.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City of Cloquet urges the Legislature to pass H.F. 685 and S.F. 874 and include the funding for these Bills in the state's budget.

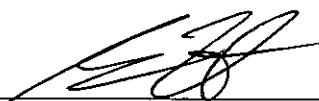
PUBLIC COMMENTS

There were none.

COUNCIL COMMENTS/UPDATES

There were none.

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



Brian Fritsinger, City Administrator



DEPARTMENT OF PUBLIC WORKS

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-6758 • Fax: 218-879-6555
Street - Water - Sewer - Engineering
www.ci.cloquet.mn.us

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Caleb Peterson, Assistant City Engineer
Reviewed by: Brian Fritsinger, City Administrator
Date: April 2, 2015

ITEM DESCRIPTION: Resolution Ordering Improvement and Preparation of Plans and Specifications on the Proposed 2015 Improvement of 8th Street from a point 450 feet north of Washington Avenue to Sahlman Avenue and also Sahlman Avenue from 7th Street to 9th Street.

Proposed Action

Staff recommends the City Council hold the hearing on this matter to consider any public comments regarding the proposed improvement, and following the hearing move to adopt **RESOLUTION 15-28, ORDERING THE IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS FOR THE RECONSTRUCTION OF 8TH STREET FROM A POINT 450 FEET NORTH OF WASHINGTON AVENUE TO SAHLMAN AVENUE AND ALSO SAHLMAN AVENUE FROM 7TH STREET TO 9TH STREET.**

Background/Overview

As part of the City's 5-Year Capital Improvement Program (CIP) and approved budget, plans are proposed to reconstruct 8th Street from a point 450 feet north of Washington Avenue to Sahlman Avenue and also Sahlman Avenue from 7th Street to 9th Street during 2015.

As a result of the heavy rains of June 2012, a number of homeowners in the residential area along 8th Street from Sahlman Avenue to Washington Avenue experienced sewer backups in their basements. These backups were caused when the capacity of the sanitary sewer main running along 8th Street was exceeded due to higher than normal flows. Shortly after the 2012 flood, the Engineering Department began an investigation of the sewer system in this area and it was determined that much of the grade of this trunk sewer is minimal at best. A review of past sewer maintenance records also show this sewer has been a habitual maintenance problem, which requires more than just routine cleaning. The ultimate results of the study recommend complete replacement of this entire trunk sewer, which currently runs north to Doddridge Avenue. As a first phase to accomplishing this, during 2014 the main outfall sewer running along Highway 33 was replaced and deepened in conjunction with the Highway reconstruction project. This will allow other connecting sewers from the area to likewise be deepened and laid at steeper grades.

Rather than replace the existing trunk sewer, which currently runs north all the way to Doddridge Avenue, the new proposed sewer would run directly west out to Highway 33 from the intersection of Sahlman Avenue and 7th Street, between the parking lots of L&M Supply and Premiere Theatres. The City currently holds a utility easement across this property and this new alignment would eliminate the need to reconstruct Doddridge Avenue from the Highway east to 7th Street. This new sanitary sewer outfall will then service the entire residential area that is bound by Doddridge Avenue on the north, Washington Avenue on the south and lying between Highway 33 and 12th Street.

As a result of the extensive utility reconstruction, it is also anticipated this project will involve the total reconstruction of Sahlman Avenue from 7th Street to 9th Street and also 8th Street from Sahlman Avenue south to include all existing utilities, curbs and pavement. As part of this project it is also proposed to install a new stormsewer in the area to reduce the amount of overland storm water runoff.

Both 8th Street and Sahlman Avenue are currently 30 feet wide (curb to curb) with no sidewalks along either route. This is generally the case with all of the streets in the area east to 14th Street and north to Doddridge Avenue. Under the proposed project, both streets would be reconstructed to their current 30-foot widths.

Currently no sidewalks exist along either roadway and this is the case throughout most of the surrounding ten block area. In recent years the City has received increased comments from the community requesting the reconstruction and extension of new sidewalks and trails to better accommodate off-street pedestrian traffic, particularly along those streets leading to our schools, parks and retail areas. The City's Comprehensive Plan recently adopted by the City Council acknowledges this directive and for this reason the Engineering Office proposed adding sidewalks along these sections of 8th Street and Sahlman Avenue. Washington Elementary School is located directly to the northeast of the project area and the Highway 33 retail corridor is west and south.

Over the past several weeks and even months, staff has received comments for some of the area residents voicing opposition or displeasure with the proposal of adding new sidewalks along the project route. Primarily the reasons voiced have been the resulting loss of existing trees and the loss of front yard green space, particularly along 8th Street. Due to the limited right-of-way width along Sahlman, it would be necessary to place the proposed walk directly adjacent to the curb. The proposed sidewalk along 8th Street includes an eight foot wide boulevard between the street and walk. This provides for more practical snow removal maintenance during the winter months. At the same time, the wider boulevard provides a better opportunity to accommodate optional boulevard tree plantings. Other sidewalk design alternatives along 8th Street include placing the walk adjacent to the curb or creating a narrower boulevard space. Each of the various options, however, have their own pros and cons. Other than the sidewalk issue, the project appears to have overall neighborhood support.

Preliminary plans for the project have been prepared and in accordance with MN Statute, Chapter 429, the City Council is required to schedule and give notice of a Public Hearing on the proposed improvement. During this meeting, the Council will take formal public input to assist them in their decision as to how the City should proceed. Because this improvement is being initiated by the City, in accordance with MN Statutes, a minimum six-sevenths (6/7) approval vote of the city council will be required for the project to proceed.

Other than the concerns expressed to date regarding the sidewalk issue and the larger than average size of the tentative improvement assessments, the project appears to have overall neighborhood support.

Policy Objectives

To advance proposed capital improvement projects but prior to approval formal public comments will be taken in reference to the proposed improvement.

Financial/Budget/Grant Considerations

The approved 2015 Budget and Capital Improvement Plan (CIP) include an estimated cost for this project of \$924,000. The breakdown of overall funding sources for the project are as follows:

- Sanitary Sewer Fund ----- \$ 241,000
- Water Fund ----- \$ 210,000
- Permanent Improvement Fund----- \$ 353,000
- Stormsewer Fund ----- \$ 120,000

The majority of these costs will be paid for with moneys from the City's permanent improvement, water, sewer and storm sewer funds. On a project such as this, however, a portion of the construction costs would be assessed or charged back to abutting properties along the project route in accordance with Chapter 12 of the City Code. On this particular project, it is estimated approximated \$180,000 or 17% of the total project costs would be assessed in accordance with the City's current policy.

Basically the assessments would involve three items: All properties would pay for 50% of the new curb and for the cost of a ten-foot wide strip of blacktop. This would amount to approximately \$28.00 per front foot and would be multiplied by the lot's width. In the case of a corner lot, curb and pavement is assessed to the lot's short side plus 1/3 of its long side. In addition all properties, which receive their sanitary sewer and water service off the newly reconstructed utility mains, would be assessed a lump sum of approximately \$4,650 per residence for the utility reconstruction. All remaining construction costs, including the new storm sewer system and the sidewalks would be paid for by the City. Based on this, it is anticipated that average individual assessments for this project will be in the \$7,200 to \$8,000 range. Individual assessments of this dollar amount are larger than those experienced on other major reconstruction projects that have taken place in other parts of Cloquet. This is due to the fact that this residential area is relatively newer and includes residential lots with larger frontages.

To the Mayor and City Council
Proposed 8th Street and Sahlman Avenue Improvement
April 2, 2015
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Engineering is currently working on the completion of final construction plans and will update these and the project cost estimate based on the direction it receives from the City Council following the public hearing. It is anticipated construction would begin in late May to early June this summer with completion by early October.

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- Resolution 15-28.
- Feasibility Study.

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

RESOLUTION NO. 15-28

RESOLUTION ORDERING THE IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS FOR THE RECONSTRUCTION OF 8TH STREET FROM A POINT 450 FEET NORTH OF WASHINGTON AVENUE TO SAHLMAN AVENUE AND ALSO SAHLMAN AVENUE FROM 7TH STREET TO 9TH STREET.

WHEREAS, The City has completed an engineering study to reconstruct 8th Street from a point 450 feet north of Washington Avenue to Sahlman Avenue and also Sahlman Avenue from 7th Street to 9th Street; and

WHEREAS, As part of the project the City Engineer has identified a need to replace aging and deteriorated roadway, sanitary sewers and water utilities; and

WHEREAS, A resolution of the Council adopted March 3, 2015, set a date for a Council hearing on the proposed improvement; and

WHEREAS, Ten days mailed notice and two weeks published notice of the hearing was given and the hearing was held thereon on the 7th day of April 2015, at which time all persons desiring to be heard were given an opportunity to be heard.

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

1. Such improvement is necessary, cost effective, and feasible as detailed in the City's feasibility study.
2. The City Engineer is hereby designated as the engineer for this improvement and shall prepare plans and specifications for the making of such improvement.
3. Such improvement is hereby ordered and the City Engineer is hereby authorized to solicit bids for construction.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 7TH DAY OF APRIL, 2015.**

Dave Hallback, Mayor

ATTEST:

Brian Fritsinger, City Administrator

CITY OF CLOQUET



FEASIBILITY STUDY

For the

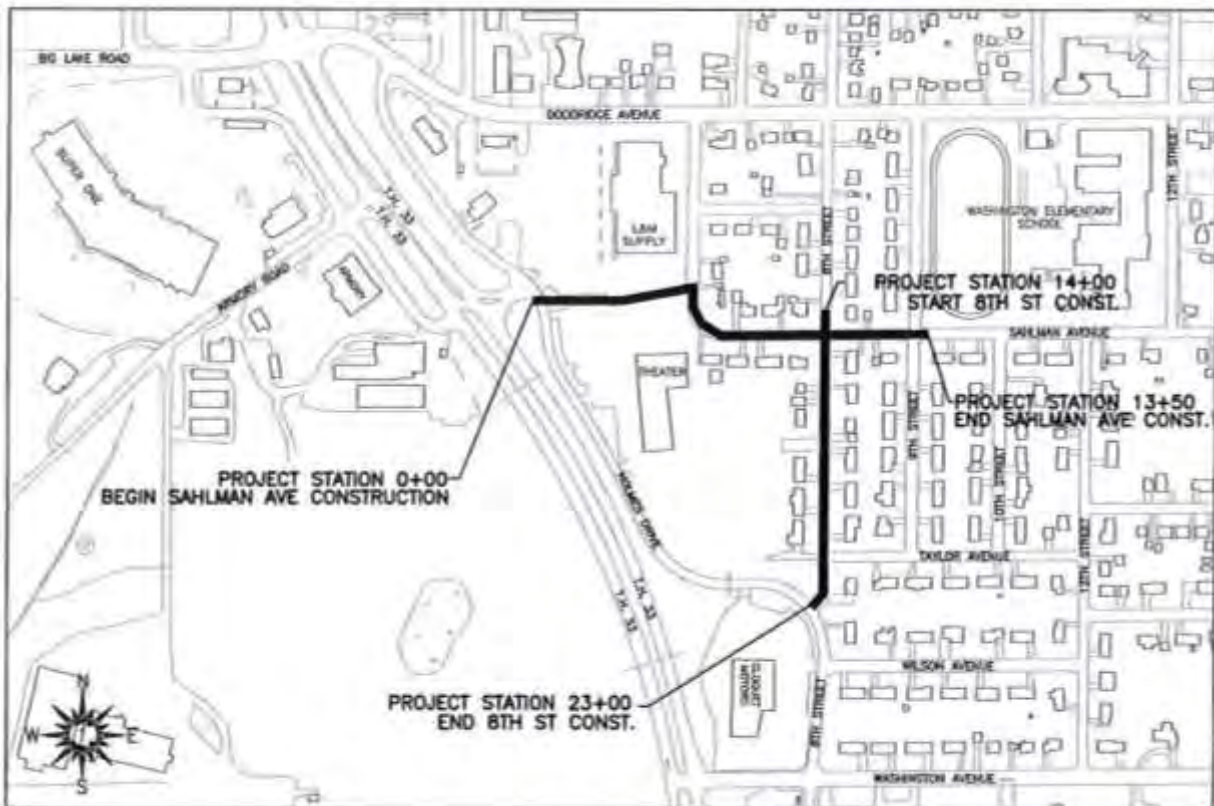
2015 PROPOSED 8TH STREET RECONSTRUCTION PROJECT

PROJECT AREA

8th Street from a point 450 feet north of Washington Avenue to Sahlman Avenue and Sahlman Avenue from 7th Street to 9th Street.

City Project No. 1050

March 31, 2015



CERTIFICATION SHEET

I hereby certify that this report was prepared by me or under my direct supervision, and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.

Caleb L. Peterson

Date: March 31, 2015

Reg. No. 47900

I. **Project Description**

As part of the City's 5-Year Capital Improvement Program (CIP) and approved budget, plans are proposed to reconstruct 8th Street from a point 450 feet north of Washington Avenue to Sahlman Avenue and also Sahlman Avenue from 7th Street to 9th Street during 2015. The project includes total reconstruction of the street, curb and gutter, watermain and sanitary sewer along the route. In addition the City is proposing to install a new storm sewer system and sidewalk to service the area.

II. **Sanitary Sewer System**

The utility infrastructure in this area was originally installed in the mid 1950's. As a result of the heavy rains of June 2012, a number of homeowners in the residential area along 8th Street from Sahlman Avenue to Washington Avenue experienced sewer backups in their basements. These backups were caused when the capacity of the sanitary sewer main running along 8th Street was exceeded due to higher than normal flows. Shortly after the 2012 flood, the Engineering Department began an investigation of the sewer system in this area and it was determined that much of the grade of this trunk sewer is minimal at best. A review of past sewer maintenance records also show this sewer has been a habitual maintenance problem, which requires more than just routine cleaning. The ultimate results of the study recommend complete replacement of this entire trunk sewer, which currently runs north to Doddridge Avenue. As a first phase to accomplishing this, during 2014 the main outfall sewer running along Highway 33 was replaced and deepened in conjunction with the Highway reconstruction project. This will allow other connecting sewers from the area to likewise be deepened and laid at steeper grades.

Rather than replace the existing trunk sewer, which currently runs north all the way to Doddridge Avenue, the new proposed sewer would run directly west out to Highway 33 from the intersection of Sahlman Avenue and 7th Street, between the parking lots of L&M Supply and Premiere Theatres. The City currently holds a utility easement across this property and this new alignment would eliminate the need to reconstruct Doddridge Avenue from the Highway east to 7th Street. This new sanitary sewer outfall will then service the entire residential area that is bound by Doddridge Avenue on the north, Washington Avenue on the south and lying between Highway 33 and 12th Street.

The area bordered by Doddridge Avenue on the north, Washington Avenue on the south and between Highway 33 and 12th Street is referred to as Sanitary Sewer Basin 7. All of the wastewater from the customers in this basin is piped to a sewer pump station that is located on 2nd Street just to the west of Walgreens. From this point it is pump north to the WLSSD Interceptor Sewer that is located along the south side of the St. Louis River. As part of the 2012 sewer investigation, the flows pumped from the 2nd Street station were metered and then compared to the total water sales for all customers within Basin 7. It was determined that immediately following the flood of June 20, 2012, the daily sewer flows being pumped from 2nd Street exceeded the metered water sales by as much as four times. The high flows of this magnitude continued for as much as five days after the rains stopped. For the next three weeks following, flows continued at one and a half times normal.

All of this additional sewer flow is related to a combination of rain water entering into the sanitary sewer system from the surface through manhole covers, from groundwater that leaks into defective sewer pipes and from building sump pumps and/or building drain tiles that are improperly connected to the sanitary sewer system. Because high flows from the basin continued for the better part of four weeks after the flood, high ground water conditions, leaky sewer pipes and improperly connected building drain tiles are most likely the culprit. These clear water flows were by far the major cause of the basement sewer backups that have occurred in this area of Cloquet and even with the replacement of the 8th Street trunk sewer main, additional investigation of this issue is warranted.

III. **Storm Sewer System**

Currently storm water runoff from the surrounding 10 block area drains primarily via overland flow to either the west end of Sahlman Avenue or the intersection of 8th Street and Taylor Avenue. At these points the water is collected and piped west across Highway 33, eventually entering the Otter Creek watershed.

While surface water flooding has not been a major problem, the lack of a more formalized storm sewer pipe system in the area does create issues. During peak rainstorms it is not uncommon to experience a virtual river from curb to curb along portions of 8th Street. Having only two low-point intersections in the area is also problematic as it can result in ponding at these locations, especially if the storm sewer inlet grates at these locations become plugged with debris. By extending storm sewers upstream into the neighborhood, the overland sheet flow is collected off the streets sooner and drained away through an underground pipe network.

As part of the project, the City is proposing to extend storm sewers north along 8th Street and east along Sahlman Avenue from 8th Street to 9th Street. These will provide additional intake points along the route reducing the amount of overland flow and further protecting the new pavement. They will be designed to allow future extensions to the east as other streets in the neighborhood are upgraded. The storm sewers will also be available to assist with the draining of some back yard areas, which are currently poorly drained due to the flat topography.

IV. **Street & Sidewalk Construction**

The existing road right-of-ways on 8th Street and Sahlman Avenue are 60 feet and 50 feet respectively. Both streets currently are approximately 30 feet wide (curb to curb) with no sidewalks along either route. This is generally the case with all of the streets in the area east to 14th Street and north to Doddridge Avenue. The condition of the existing pavement along both streets is generally fair although the existing curb lines were previously overlaid which will result in drainage and maintenance issues over time. Given the poor subgrade soils and the level of disturbance necessary to complete the replacement and extension of the existing utilities, complete reconstruction of the curb, gutter and roadway will be required. Under the proposed project, both Sahlman Avenue and 8th Street would be reconstructed to their current 30-foot widths.

Figure 1 below illustrates the proposed roadway sections for each segment.

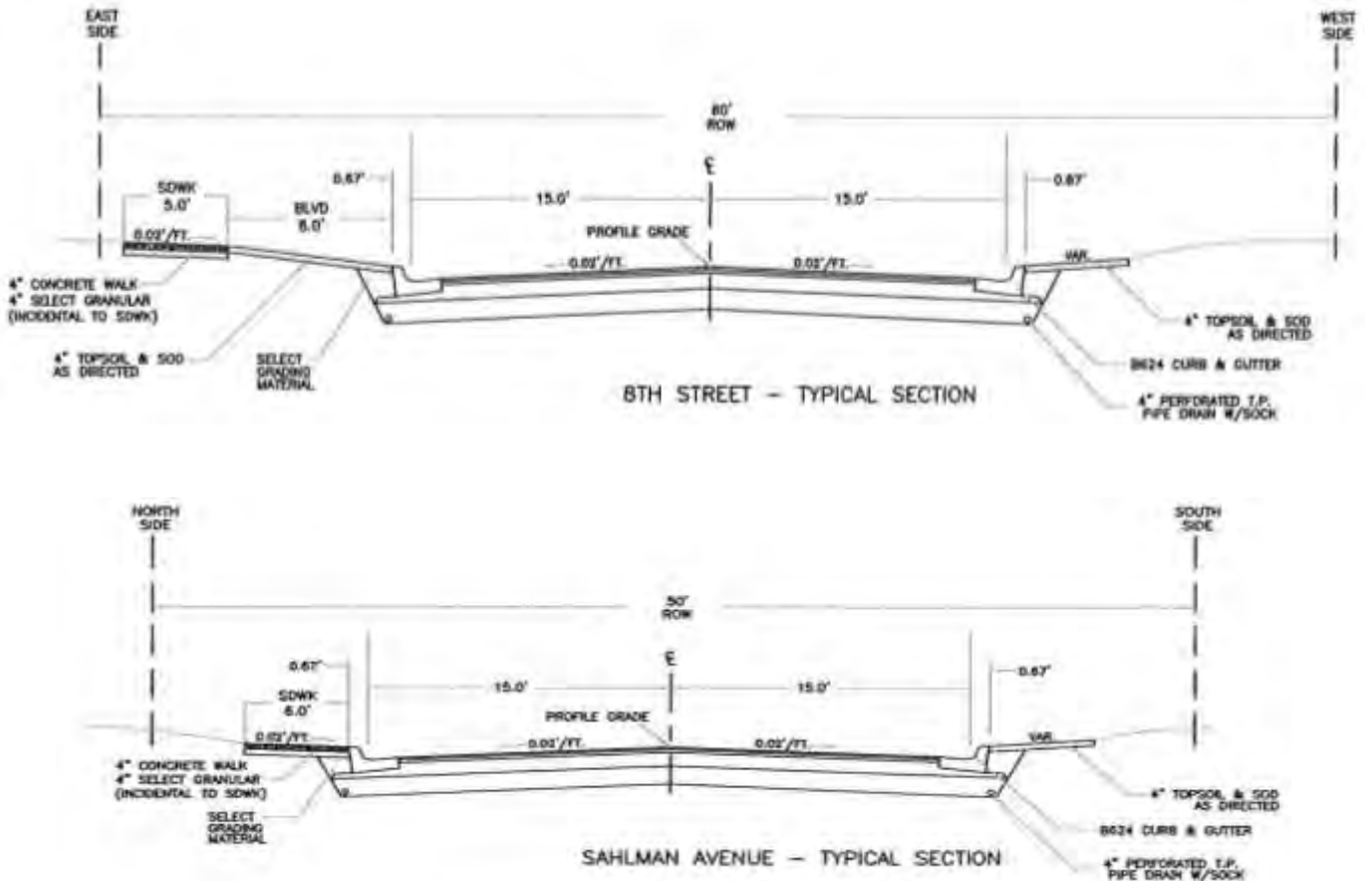


Figure 1 (Proposed Roadway Sections)

Currently no sidewalks exist along either route however this is not uncommon in residential areas outside of the older City’s central core. Over the past few years the City has seen increased involvement from the community requesting that it better accommodate all modes of transportation within our road right-of-ways. Since 2009 the City has formally adopted a Trail Plan, a Park Master Plan, and an update to the transportation section of the Comprehensive Plan, all of which address the issue of better accommodating off-street pedestrian and non-motorized traffic as various street projects are completed. This would logically be even more justified in the areas surrounding our schools and parks.

Adopted by the City Council in November of 2014, the Comprehensive Plan specifically addresses the issue of accommodating pedestrians with the following:

Cloquet’s Transportation Vision

Cloquet will be a community with a safe, well maintained, interconnected and inclusive transportation system that accommodates automobiles, freight haulers, trains, transit, pedestrians, bicyclists, and general aviation and provides opportunities to all Cloquet residents and visitors to move around the City with ease by all travel modes.

Pedestrians

Goal Statement: The City of Cloquet will provide a safe, interconnected and convenient year-round pedestrian system that accesses all neighborhoods and includes routine planned maintenance of the existing sidewalks and on-street designated routes, and works towards a fully ADA compliant system for improved pedestrian mobility.

Given this past direction, Engineering has proposed five foot-wide sidewalks be added along the East side of 8th Street and the north side of Sahlman Avenue. In order to save costs, the City’s current subdivision code does not require sidewalks along both sides of streets, which carry lower volumes or traffic. The question is often raised as to why the sidewalk is placed on one side vs. the other. In this case, proposed locations were chosen in order to limit required landscape removals and grade conflicts with existing driveways.

Due to the limited right-of-way width along Sahlman, it would be necessary to place the proposed walk directly adjacent to the curb. The preferred alternative for 8th Street includes an eight foot wide boulevard between the street and sidewalk. This provides for more practical snow removal maintenance of the street and walk during the winter months. At the same time, the wider boulevard provides a better opportunity to accommodate future boulevard tree planting. Other feasible sidewalk alternatives include placing the walk adjacent to the curb or creating a narrower boulevard space.

V. Cost Estimate & Funding

The City’s approved 2015 Budget and Capital Improvement Plan (CIP) includes an estimated cost for this project of \$924,000. The breakdown on the overall funding sources for the project are as follows:

- Sanitary Sewer Fund ----- \$ 241,000
- Water Fund----- \$ 210,000
- Permanent Improvement Fund --- \$ 353,000
- Stormsewer Fund ----- \$ 120,000

The majority of these costs will be paid for with moneys from the City’s permanent improvement, water, sewer and storm sewer funds. On a project such as this, however, a portion of the construction costs would be assessed or charged back to abutting properties along the project route in accordance with Chapter 12 of the City Code. On this particular project, approximate \$180,000 or 17% of the total project costs would be assessed in accordance with the City’s current policy. Basically the assessment would involve three items: All properties would pay for 50% of the new curb and for the cost of a ten-foot wide strip of blacktop. This would amount to approximately \$28.00 per front foot and would be multiplied by the lot’s width. In the case of a corner lot, curb and pavement is assessed to the lot’s short side plus 1/3 of its long side. In addition all properties, which receive their sanitary sewer and water service off the newly reconstructed utility mains, would be assessed a lump sum of approximately \$4,650 per residence for the utility reconstruction. Based on this, It is anticipated that average assessments for this project will be in the \$7,200 to \$8,000 range.

Engineering is currently working on the completion of final construction plans and will update these and the project cost estimate based on the direction it receives from the City Council following the public hearing on the improvement.

VI. Project Schedule

The schedule for the proposed improvement is as follows:

| | |
|--|-----------------|
| Project Hearing | April 7, 2015 |
| Award Bids..... | May 5, 2015 |
| Start Construction | May 26, 2015 |
| Substantial Completion of Construction | October 1, 2015 |
| Assessment Hearing | February 2016 |

VII. Conclusion & Recommendations

Based upon the information contained in this report, the City of Cloquet must proceed with improvements to the sanitary sewer and storm sewer systems in this part of town. Although most of the existing roadways are in fair to good condition, the extent of required utility reconstruction will necessitate the reconstruction of the roadways at the same time. With the sanitary sewer improvements completed during 2014 along Highway 33, it is the opinion of the City Engineer's Office that the proposed 8th Street and Sahlman Avenue Reconstruction Project is not only feasible but necessary.



CLOQUET POLICE DEPARTMENT

508 CLOQUET AVENUE, CLOQUET, MINNESOTA 55720-1799

PHONE 218-879-1247

FAX 218-879-1190

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Steve Stracek, Chief of Police
Reviewed by: Brian Fritsinger, City Administrator
Date: April 1, 2015

ITEM DESCRIPTION: Appointment of Police Officers

Proposed Action

Staff recommends the City Council move to approve the probationary appointments of Erika Johnson effective April 13, 2015, Kyle Voltzke effective April 14, 2015 and Laci Silgjord effective April 15, 2015 to the position of Police Officer. All appointments are contingent on the successful completion of a psychological and physical assessment. Appointment dates are staggered in order to establish seniority rankings within the department.

Background/Overview

The Cloquet Police Department currently has 18 sworn officers to patrol the city of Cloquet and Scanlon. The current number of sworn officers in the Department includes 14 assigned to patrol, 3 assigned to investigative functions, and 1 assigned to administration. In March 2015, Officer Mark Laine passed away creating a vacancy in our staffing which then numbered 19 sworn positions. The appointment of these 3 officers replaces Officer Laine and adds 2 previously approved positions.

In 2014, the City Council approved the addition of 2 Police Officers to increase the department's number of sworn staff to 21. This staffing increase was recommended in the 2014 Law Enforcement Analysis of the Cloquet Police Department. The analysis conducted by the Upper Midwest Community Policing Institute and Minnesota Chiefs of Police Association identified best practices and optimum staffing levels to adequately provide and manage police services. The staffing increase supports in part, improvements to our command structure by better enabling Police Sergeants who direct daily patrol activity and are tasked with first-line supervisory functions.

In December 2014, with the help of the Citizen Advisory Board (CAB), the City began the process to establish a current eligibility list for the position of Police Officer. To hire a new officer is a rigorous and time-consuming process. The process includes: a written application, a written examination from the International Public Management Association for Human Resources (IPMA-HR) that consisted of both a cognitive and non-cognitive component, and a pre-employment questionnaire.

To the Mayor and City Council
Appointment of Police Officers
April 1, 2015
Page 2

The City received 45 applications, with the top candidates from the application pool being interviewed on two occasions. The City used a cross section of senior personnel from City Administration, the Cloquet Police Department and members of the CAB as part of the interview panels. Per the Advisory Board rules for new hires, the candidates were then ranked to establish a current eligible register. Background checks of the top seven candidates were completed, with a final recommendation of the top candidates to the Council for a conditional job offer. Final selections from the list of the top 7 candidates were made after an interview with the City Administrator and Police Chief. The offers are contingent on the successful completion of a psychological and physical assessment. All new officers are required to complete three months of field training and have a year-long probationary period.

Policy Objectives

The Police Officer position is critical to the overall success of the Department in the delivery of professional and efficient policing services to the community. Police Officers are responsible for the preservation of law and order, the protection of life and property, the prevention and detection of crime, the provision of emergency services and the enforcement of laws and ordinances.

The City follows the hiring process identified within the Citizen Advisory Board rules and Police Department Procedural Manual Sections 3.50, 3.51 and 3.52.

Financial/Budget/Grant Considerations

No additional financial implications to the City as the positions are currently included in the 2015 budget.

Advisory Committee/Commission Action

The Police Citizen Advisory Board assisted the administration with the creation of the current eligibility list.

Supporting Documentation Attached

- None



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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Brian Fritsinger, City Administrator (P)
Date: March 26, 2015

ITEM DESCRIPTION: Video Production Technician Position Appointment

Proposed Action

Staff recommends that the City Council move to authorize the one year probationary appointment of Tristan Louhela to the part-time Video Production Technician position effective 4/8/15.

Background/Overview

The Cable Commission had previously endorsed the hiring of two twenty hour part-time video production technicians. However, for flexibility at this time, Mr. Lipponen continues to support utilizing three thirteen hour positions until a future date when the experience and commitment of the part-time employees may justify moving them to twenty hours. Once at twenty hours, the employees are represented by the AFSCME union.

The Department has functioned with only two positions since this past fall. Mr. Lipponen is recommending the hiring of Tristan Louhela to fully staff the Department. This would be a one year probationary appointment.

Policy Objectives

The City operates its Cable operations under the framework identified in the City's Franchise Agreement with Mediacom. Under the franchise, the City has identified a goal to operate, administer, promote and manage access to the cable system for public education and government programming. This service is provided to City residents on Channel 7 of the cable network.

Financial/Budget/Grant Considerations

The City's current budget assumes the continuation and staffing of the CAT-7 studio. The department is fully funded through the franchise fees paid to the City through our cable subscribers. There is no relationship to general fund or property tax levy dollars.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached


- None



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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Brian Fritsinger, City Administrator 
Date: March 26, 2015

ITEM DESCRIPTION: Event Coordinator Position Agreement Concept

Proposed Action

Staff recommends the City Council move to authorize staff to enter into an agreement with the Cloquet Chamber of Commerce related to Event Coordinator services.

Background/Overview

This past month, the City Council directed staff to proceed with the implementation of a position responsible for the planning, implementation and oversight of designated community events. As a result, staff has met with representatives of the Chamber of Commerce to explore a cooperative arrangement.

City and Chamber staff have tentatively agreed that a cooperative arrangement for this position is both manageable and reasonable. Staff would recommend that the initial contract for service be linked on a “trial basis” to the 4th of July Celebration. This would allow both the City and Chamber opportunity to evaluate the relationship and success of the approach.

Under this scenario, the City would be roughly committing to about 120 hours of time. This is based upon 8 hours of work per week in April and 16 hours per week in May and June. The week of the event would require additional time. The draft job duties and responsibilities is attached but will be refined as part of future discussions with the Chamber if the Council is supportive of moving forward. Of primary concerns for the 4th is working and coordinating activities of the volunteer committee, fundraising, and parade/fireworks/park events. The events coordinator would really be acting as the point person to carry the ball with the assistance of the committee.

These services would be provided by existing staff at the Chamber of Commerce. Some additional discussion is necessary to clarify computer, cellphone and stationary needs of the position as well as fiscal services of the event as a whole.

Policy Objectives

The Council has previously identified the growth of community events as a priority goal.

Financial/Budget/Grant Considerations

The City has identified \$7,500 in the 2015 budget for this activity. Limiting the relationship to the 4th of July Celebration is expected to cost about \$2,500. Based upon the success and outcome, the City may also want to look at an event bonus.

To the Mayor and City Council
Event Coordinator Position Agreement
March 26, 2015
Page 2

The position will be paid by the Chamber as part of the Chamber's payroll. The City would then reimburse the Chamber based upon a dual timecard tracking system.

The \$2,500 estimated above does not include any city monies being spent directly on event activities or events. It is limited solely to personal services.

Advisory Committee/Commission Action

The Chamber of Commerce Board of Directors reviewed this concept at its March 27 meeting and voted to support a cooperative relationship for these services. The only additional item that was requested to be investigated with our insurance carrier was hold harmless/liability type coverage. This will be reviewed with the City's carrier upon Council support.

Supporting Documentation Attached

- Event Coordinator draft job duties and responsibilities.

EVENT COORDINATOR

SAMPLE DUTIES AND RESPONSIBILITIES

Event Planning and Promotion

- Administers events and activities in accordance with the policies, strategies, and mission of the City and Chamber of Commerce.
- Plans and coordinates event-related services, including but not limited to:
 - Facilities/amenities
 - Reservations
 - Catering
 - Transportation
 - Signage
 - Displays
 - Special needs requests and requirements
 - Event security
 - Invitation/RSVP tracking
 - Marketing and publicity
 - Event-related materials (e.g., handouts, giveaways)
- Develops and manages event organization structure and procedures, motivation of volunteers, income and expenditures, community relations, service and promotion.
- Coordinates contract negotiations with groups and venues, negotiating contracts with service providers and supplies such as caterers, hotels, attractions, venues, agencies, etc.; final approval authority of all contracts is provided by _____.
- Uses a variety of existing member venues in and around Cloquet, maximizing local history, culture, reputations, and infrastructure.
- Creates, designs, and supports any new events requested by the City and Chamber of Commerce.

Event Execution

- Recruits committee Chairs and coordinates volunteers for designated events and programs.
- Maintains direct, regular contact with personnel from the various outside organizations associated with the scheduled events.
- Prepares and sends timely communications, such as save-the-date notices and invitations.
- Maintains continuity and consistency with City and Chamber branding and reputation by standardizing event operational procedures.
- Attends all events and acts as the key contact to ensure success.
- Develops and maintains positive working relationships with other agencies, community organizations, economic development, tourism, and county officials to further promote the community.

Event Follow-up

- Prepares timely thank you notes to speakers, sponsors, and key volunteers after events.
- Conducts post event evaluations and debriefs to determine how future events can be improved.
- Maintains all necessary records associated with each event, communicating with the Finance Coordinator to ensure all revenues are being billed and collected in a timely fashion.
- Updates checklists, templates, project plans, and other tools to streamline and simplify execution the next time a similar event is conducted.

Finances and Revenue Generation

- Solicits, secures, and grows sponsorship relationships for each event.
- Monitors expenses with respect to budget and recommend areas for cost savings.
- Reviews actual expenses versus budget.



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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Brian Fritsinger, City Administrator (P)
Date: March 27, 2015

ITEM DESCRIPTION: City Code Amendment Chapter 8 - Dogs Running At Large

Proposed Action

Staff recommends that the City Council move to adopt **ORDINANCE NO. 441A, AMENDING CHAPTER 8 OF THE CITY CODE AS IT RELATES TO DOGS RUNNING AT LARGE.**

Background/Overview

Over the past year, the City Attorney has attempted to prosecute a number of dogs running at large violations. In doing so, the City has been faced with an increasing number of motions to dismiss. Most recently a ruling was issued that could be problematic to enforcement without change to City Code.

Currently, City Code reads as follows:

8.2.06 - No owner or keeper of any dog or cat shall permit the animal to run at large within the urban corporate limits of the City.

This section of Code is consistent with that recommended by the League of Minnesota Cities and is based upon Minnesota Statute 609.226 Subd. 1 which reads as follows:

Subd. 1 - Great or substantial bodily harm. A person who causes great or substantial bodily harm to another by negligently or intentionally permitting any dog to run uncontrolled off the owners premises, or negligently failing to keep it properly confined is guilty of a misdemeanor.

The Court is questioning the City's ability to enforce a specific standard of negligence as it is, in its opinion, difficult to demonstrate a dog owner is intentionally or affirmatively allowing a dog to run at large. Without additional language, the Court intends to require the City to show gross negligence which is an extremely high standard to show in these types of cases.

As a result, the City Attorney is recommending that our Code be amended to read as follows:

No owner or keeper of any dog shall negligently or intentionally permit the animal to run at large within the urban corporate limits of the City of Cloquet. The City intends that with respect to this section that the standard of negligence to be applied will be that of ordinary negligence as is required in a civil action.

To the Mayor and City Council
City Code Amendment - Chapter 8
March 27, 2015
Page 2

Policy Objectives

The City has an obligation to protect the public from a variety of dangerous nuisances. City Code Chapter 8 addresses dogs and cats. Minnesota Statute 609.226 addresses harm caused by dog.

Financial/Budget/Grant Considerations

None.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Ordinance No. 441A.

ORDINANCE NO. 441A

**AN ORDINANCE TO AMEND CHAPTER 8 OF THE CITY CODE
AS IT RELATES TO DOGS RUNNING AT LARGE**

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

Section 1. That Section 8.2.06, Running at Large Prohibited, be amended to delete the first sentence and add the following:

8.2.06 Running at Large Prohibited. ~~No owner or keeper of any dog or cat shall permit the animal to run at large within the urban corporate limits of the City.~~ No owner or keeper of any dog shall negligently or intentionally permit the animal to run at large, as that term is defined in Subd. 10 of Section 8.1.01, within the urban corporate limits of the City of Cloquet, as set forth below. Given the potentially serious public health and safety concerns, it is the City's intent that with respect to the application of this section that the standard of negligence to be applied in considering a violation will be that of ordinary negligence as is required in a civil action.

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

Passed this 7th day of April, 2015.

CITY OF CLOQUET

By _____
Its Mayor

ATTEST:

Its City Administrator


Published this _____ day of _____, 2015.



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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Brian Fritsinger, City Administrator 
Date: March 27, 2015

ITEM DESCRIPTION: City Code Amendment Section 6.5 - Tobacco Compliance Checks

Proposed Action

Staff recommends that the City Council move to adopt:

- **ORDINANCE NO. 442A, AN ORDINANCE AMENDING SECTION 6.5 OF THE CITY CODE RELATED TO TOBACCO COMPLIANCE CHECKS.**
- and
- **RESOLUTION NO. 15-29, RESOLUTION AUTHORIZING PUBLICATION OF A SUMMARY OF ORDINANCE NO. 442A, AN ORDINANCE AMENDING SECTION 6.5 OF THE CITY CODE RELATED TO TOBACCO COMPLIANCE CHECKS**

Background/Overview

The Minnesota Legislature in 1997 passed a new tobacco law that required all communities to conduct tobacco compliance checks. Specifically, the law was required to monitor the sale of tobacco and tobacco products to underage minors.

The City quickly followed with the adoption of an ordinance detailing the requirements for licensing retail tobacco establishments and the compliance check and inspection process. The City Code has required a minimum of two compliance checks each year since adoption of the ordinance.

State law also dictates the minimum fine and penalty for failure of compliance checks. The City Council, as recently as 2013, reviewed the penalty section of the Code and agreed that it was both appropriate and consistent with other similar penalty sections of the Code. The penalties assessed by the City are more stringent than mandated by the State under M.S. 461.12 Subd. 2.

The numbers each year show that the majority of license holders pass the compliance checks. However, a number have failed in recent years frequently enough to warrant license suspensions. While Section 6.5.09 of current code is clear on penalties, Section 6.5.12, Subd. 5 has complicated the interpretation of penalties and suspensions. This subdivision in essence creates a “look back” provision that has created confusion for license holders, City staff, and City Attorney. While it has been applied uniformly to all businesses as part of the citation process, it has been interpreted differently during the administrative hearing processes.

As a result, staff has attempted to revise that section of the Code as it relates to compliance checks and penalties. The language detailed in the attached ordinance has been drafted to streamline, simplify and clarify in a more straight forward way the penalty and penalty process. The proposed change does not change penalties or the penalty process. It simply consists of language changes and the reorganization of this section of Code to try and clarify the process.

Listed below, the Council will find the penalties as levied by current City Code as compared to the minimums required by Statute. As noted above, the Council on several occasions has discussed the penalties but opted to leave them as listed. With the clarifications included in the proposed ordinance, a 5th offense within a 24 month period can only be obtained if a targeted compliance check is completed. In other words, it would require a 3rd check in a calendar year. This would typically only be done if the City is aware or has received complaints regarding the sale of tobacco to minors.

| LICENSEES | MN Statute 461.12 | | City Code | |
|---|--------------------|--------------------|--------------------|----------------------|
| | Administrative Fee | License Suspension | Administrative Fee | License Suspension |
| First Violation | \$75.00 | none | \$100 | none |
| Second Violation within a 24 month period | \$200 | none | \$200 and | 10 day |
| Third Violation within a 24 month period | \$250.00 | 7 day | \$500 and | 90 day |
| Fourth Violation within a 24 month period | n/a | | \$1000 and | up to 1 year |
| Fifth and Subsequent Violation within a 24 month period | n/a | | \$1000 and | permanent revocation |

| CLERK/EMPLOYEE | MN Statute 461.12 | | City Code | |
|---|--------------------|--|--------------------|--|
| | Administrative Fee | | Administrative Fee | |
| First Violation | \$50.00 | | \$50.00 | |
| Second Violation within a 24 month period | n/a | | \$100.00 | |
| Third and Subsequent Violation within a 24 month period | n/a | | \$200.00 | |

Policy Objectives

Under Section 6.5 of City Code, the City has identified that it is in the best interests of the City to regulate the distribution of tobacco products in a manner which will help to prevent young people from starting to smoke. Minnesota Statute 461.12 addresses the licensing of tobacco products including the mandate that the City conduct compliance checks at licensed facilities. It further details the minimum penalties for failing such checks.

Financial/Budget/Grant Considerations

The impact on the City of the proposed changes is negligible. The goal of the City is to see all license holders pass compliance checks so any revenue received is unbudgeted. Staff is not proposing any changes to the fee/penalty of amounts as currently identified in Code.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Ordinance No. 442A.
- Resolution No. 15-29.

ORDINANCE NO. 442A

**AN ORDINANCE AMENDING SECTION 6.5 OF THE CITY CODE
RELATED TO TOBACCO COMPLIANCE CHECKS**

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

Section 1. That Sections 6.5.09 through 6.5.14 of the City Code be deleted in its entirety and replaced with the following:

6.5.09. Compliance Checks and Inspections. All licensed premises shall be open to inspection by City Police or other authorized city officials during regular business hours. From time to time, but at least twice per year, the City shall conduct compliance checks by engaging minors to enter the licensed premises to attempt to purchase tobacco, tobacco products, or tobacco related devices. No minor used in compliance checks shall attempt to use a false identification or theatrical makeup which misrepresents the minor's age. All minors lawfully engaged in a compliance check shall answer all questions about the minor's age truthfully when asked by the licensee and shall produce any identification which he or she is asked to produce. The minor or minors shall be accompanied by City Police or authorized city officials to the location of the compliance check.

6.5.10. Responsibility. All licensees under this section shall be responsible for the actions of their employees in regard to the sale of tobacco, tobacco products or tobacco related devices on the licensed premise, and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this section shall be construed as prohibiting the City from also subjecting the clerk to whatever penalties are appropriate under this section, state or federal law, or other applicable law or regulation.

6.5.11. Violations and Penalties.

Subd. 1. Citations for Violations. Upon discovery of a violation of this section or pursuant to a compliance check, the clerk or employee shall be issued a citation by City Police and the licensee shall be notified of the citation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

Subd. 2. Administrative Penalty by Licensee.

A. Upon determination of a violation of a compliance check or an illegal sale hereunder, the licensee will be liable for an administrative penalty as follows:

| Violation | Administrative Fee | License Suspension |
|---|---------------------------|---------------------------|
| First Violation | \$100 | none |
| Second Violation within a 24 month period | \$200 and | 10 day |
| Third Violation within a 24 month period | \$500 and | 90 day |
| Fourth Violation within a 24 month period | \$1000 and | up to 1 year |
| Fifth and Subsequent Violation within a 24 month period | \$1000 and | permanent revocation |

B. No administrative penalty may be imposed until the licensee has been sent written notice by certified mail of the violation to the address listed on the license. Any administrative penalty suffered by licensee is in addition and separate from any administrative penalty imposed upon employee.

Subd. 3. Administrative Penalty by Clerk/Employee.

A. The clerk or employee specifically involved in a compliance check violation or determined to have violated this section will be personally liable to pay an administrative fee. Upon determination of a violation of a compliance check or an illegal sale hereunder, the clerk/employee will be liable for an administrative penalty as follows:

| Violation | Administrative Fee |
|---|---------------------------|
| First Violation | \$50.00 |
| Second Violation within a 24 month period | \$100.00 |
| Third and Subsequent Violation within a 24 month period | \$200.00 |

- B. No administrative penalty may be imposed until the clerk or employee has been sent written notice by certified mail of the violation. Any administrative penalty imposed upon employee is separate from and in addition to any administrative penalty imposed upon licensee.

Subd. 4. Payment of Administrative Fees.

- A. All administrative fees imposed by this section are deemed payable within sixty (60) days of the date of mailing of the written notice of violation or no later than thirty (30) days after the mailing of the written decision of an appeal determining that a violation has occurred.
- B. All such administrative fees imposed pursuant to this section will be payable to the City Administrator, City Hall, 1307 Cloquet Avenue, Cloquet MN 55720. The administrative penalties may be modified from time to time by the City Council.
- C. Failure by the licensee to pay any administrative fee imposed against the licensee within the time limit set herein will result in a license suspension until the date of payment.
- D. Failure by clerk/employee to pay any administrative fee imposed within the time limit set herein shall, at the option of the City Administrator, be either through a collection agency or legal proceedings in accordance with the City's Collection Policy.

Subd. 5. Right to a Hearing.

- A. No administrative penalty may be imposed until the violator has been afforded an opportunity for a hearing before a hearing officer to contest the fact that a violation has occurred. Requests for a hearing must be submitted in writing to the Chief of Police, 508 Cloquet Avenue, Cloquet MN 55720, within twenty (20) days of the date of mailing of the written notice of violation.
- B. Upon receipt of written notice, the City shall have ten (10) business days to set the time and place for the hearing. Written notice of the hearing time and place shall be mailed or delivered to the accused violator at least ten (10) business days prior to the hearing.
- C. The hearing officer shall have authority to dismiss the violation or reduce or waive the penalty.
- D. A decision shall be issued by the hearing officer within ten (10) business days. If the hearing officer determines that a violation of this section did occur, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed under 6.5.11 of this section, shall be recorded in writing, a copy of which shall be provided to the City and the accused violator by in person delivery or mail as soon as practicable. Likewise, if the hearing officer finds that no violation occurred or finds grounds for reducing or not imposing any penalty, those findings shall be recorded and a copy provided to the City and the acquitted accused violator by in person delivery or mail as soon as practicable.
- E. Suspension or revocation shall not occur until written notice by the hearing officer has been served on the licensee by certified mail to the address listed on the license and a copy of such notice provided to the City.

Subd. 6. Hearing Officer. For purposes of this section, the hearing officer shall be designated in writing by the City Administrator. The hearing officer is authorized to hear and determine any controversy relating to the violation. This process is intended to replace any existing administrative procedures previously established by ordinance with regard to violations enumerated herein.

Subd. 7. Right to Obtain a Transcript. If a hearing is requested, the hearing will not be recorded and will only be transcribed if all financial arrangements are made in advance with a certified court reporter by the person requesting the hearing. Furthermore, any person requesting that the hearing be transcribed agrees to provide the City with a copy of the transcript at no cost to the City.

Subd. 8. License Suspension or Revocation Without a Hearing. Any license issued pursuant to this Section may be suspended or revoked for violation of any provision of this Section or as detailed in 6.5.11 Subd. 2. Suspension or revocation shall not occur until written notice has been served on the licensee by certified mail to the address listed on the license.

Subd. 9. Other Penalties. The administrative fees and license suspension consequences set forth in this section are not intended to replace or limit any other juvenile, criminal, administrative or civil sanctions or consequences that may be imposed by state or federal law for the same activity.

6.5.12. Other Illegal Acts. Unless otherwise provided, the following acts shall be a violation of this section.

Subd. 1. Illegal Possession. It shall be a violation of this section for any minor to have in his or her possession any tobacco, tobacco product, or tobacco related device. This subdivision shall not apply to minors lawfully involved in a compliance check on behalf of the City.

Subd. 2. Illegal Use. It shall be a violation of this section of any minor to smoke, chew, sniff, or otherwise use any tobacco, tobacco product, or tobacco related device. All minors suspected of violating this provision of this section, will be referred to juvenile court for prosecution by the Carlton County Attorney consistent with existing agreements and then existing juvenile court rules and procedures.

Subd. 3. Illegal Procurement. It shall be a violation of this section for any minor to purchase or attempt to purchase or otherwise obtain any tobacco, tobacco product, or tobacco related device from any person or merchant, and it shall be a violation of this section for any person to purchase or otherwise obtain such items on behalf of a minor. It shall also be a violation of this section for any person to sell or otherwise provide any tobacco, tobacco product, or tobacco related device to any minor. It shall further be a violation for any person to coerce or attempt to coerce a minor to illegally purchase or otherwise obtain or use any tobacco, tobacco product, or tobacco related device. This subdivision shall not apply to minors who purchase or attempt to purchase tobacco, tobacco product, or tobacco related devices while under the direct supervision of a responsible adult for enforcement purposes or for training and education for enforcement purposes.

Subd. 4. Use of False Identification. It shall be a violation of this section for any minor to attempt to disguise their true age by the use of a false form of identification, whether the identification is that of another person or one in which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

6.5.13. Exceptions and Defenses. Nothing in this section shall prevent the providing of tobacco, tobacco product, or tobacco related devices to a minor as part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this section for a person to have reasonably relied on proof of age as described by state law.

6.5.14. Judicial Review. Any person who maintains he is aggrieved by a decision pursuant to 6.5.03, 6.5.11 or 6.5.12 herein may have the decision reviewed in the district court consistent with Minn. Stat. §462.361.

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

Passed this 7th day of April, 2015.

CITY OF CLOQUET

By _____
Its Mayor

ATTEST:

Its City Administrator

Published this _____ day of _____, 2015.



DEPARTMENT OF PUBLIC WORKS

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Street - Water - Sewer - Engineering
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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: James R. Prusak, Director of Public Works
Reviewed by: Brian Fritsinger, City Administrator
Date: March 31, 2015

ITEM DESCRIPTION: Proposal by Short, Elliott & Hendrickson, Inc. to provide professional transportation planning services to assist with the completion of the South Trunk Highway 33 Corridor Study and Access Management Plan.

Proposed Action

Staff recommends the City Council move to accept the proposal by Short Elliott & Hendrickson, Inc., dated March 31, 2015 to provide professional transportation planning services to assist with the completion of the South Trunk Highway 33 Corridor Study and Access Management Plan.

Background/Overview

Over the years, continued development in Cloquet and in particular along South Trunk Highway 33 has raised questions regarding needed future roadway improvements that would better accommodate existing and future traffic and improve safety at key intersections. Traffic congestion, safety, travel speeds, geometrics and accesses have been identified as issues for this stretch of roadway. The roadway is the main thoroughfare for north/south through traffic, as well as a primary route for commuters, tourists and consumers. Potential future developments along the highway corridor are also being considered as well as other collector routes extending west from Highway 33 to other portions of Cloquet.

Potential recommendations for improving the Highway corridor include the development of an access management plan, new frontage roads, additional traffic signals and improved pedestrian facilities. The goal of the plan is to provide a guide for the City of Cloquet and the Minnesota Department of Transportation (Mn/DOT) in regulating access onto the highway, so that it will be safer and more efficient in the future.

For now this study is focused on the south section of Highway 33 in Cloquet running from Interstate Highway I-35, north to the St. Louis River. At some time in the future, it is anticipated the northerly section from the St. Louis River to the north city limits will be looked at as well. At this time, however, the study of the northerly section has not been programmed. Funding assistance for the current study has been provided by the City of Cloquet and the Minnesota Department of Transportation (Mn/DOT) through Master Partnership Contract 02485W10 and it is anticipated the study will be completed by the end of November 2015.

To guide this study, the City Engineer has put together a committee of local officials that will work with a selected transportation planning consultant to provide technical expertise, review draft documents, provide input, guide the public input process and ultimately approve a final report and its recommendations. This study group consists of the following people:

Jim Prusak, Cloquet City Engineer
Caleb Peterson, Cloquet Assistant City Engineer
Steve Stracek, Cloquet Chief of Police
Holly Butcher, Cloquet Community Development Director
Al Cottingham, Cloquet City Planner
Jim Miles, Mn/DOT Traffic Engineer – District One
Mike Tardy, Carlton County Engineer, and
Andy Hubley, ARDC Director of Regional Planning

Two meetings of the group have taken place to date to discuss and refine the overall Work Plan for the project and to review the consultant selection process. Currently the City has Short, Elliott, & Hendrickson Inc. (SEH) working on a number of park projects within Cloquet and also back in 2014 they worked with the City Engineer's Office in putting together preliminary plans for frontage road revisions in the area of Pine Tree Plaza just south of Big Lake Road. SEH has offered a Proposal for Transportation Planning Services to complete the corridor study, which has been reviewed by the study group.

In light of Cloquet's past and current working relationship with SEH and the short time frame available to complete this work, the group met with the consultant to review the project Work Plan and SEH's Proposal at their March 27th meeting. Following that meeting it is recommended SEH be hired to move forward immediately with the study.

Policy Objectives

To work cooperatively with various government agencies to identify future capital improvement projects to the benefit of all.

Financial/Budget/Grant Considerations

The City's approved budget and CIP included \$25,000 to complete this study and Mn/DOT has agreed to provide an additional \$25,000 under its Master Partnership Contract with Cloquet. An additional portion of the Hwy 33 Work Plan includes identifying potential local collector roadway connections to Highway 33, particularly as alternates to Big Lake Road (CSAH 7). As part of Cloquet's 2015 CIP, an additional \$20,000 was allocated to investigate the possibility of extending Airport Road from its intersection with Pinewood Drive, east to Armory Road and eventually the Highway.

The Scope of Work to be completed by SEH is outlined in their proposal dated March 31, 2015. This would be completed on an hourly basis with a not to exceed fee of \$69,500 based on the current scope of work identified to date.

The ultimate goal of the study would be to identify potential future highway improvements that would be eligible for City, State and Federal highway improvement dollars.

Advisory Committee/Commission Action

The Highway 33 Corridor Study Group has recommended proceeding with this project immediately and the hiring of Short, Elliott, and Hendrickson.

Supporting Documentation Attached

- SEH Proposal dated March 31, 2015.
- 3/16/15 Meeting Minutes of Hwy Study Group.



Building a Better World
for All of Us®

March 31, 2015

Jim Prusak
Cloquet City Engineer
1307 Cloquet Avenue
Cloquet, MN 55720

Re: Letter Proposal
TH 33 South Corridor Study &
Access Management Plan
SEH No. CLOQU 131661

Short Elliott Hendrickson Inc. ® (SEH) appreciates the opportunity to provide professional transportation planning services to the City of Cloquet for the Trunk Highway 33 South Corridor Study and Access Management Plan. We have prepared this Supplemental Letter Agreement for Professional Services between the City of Cloquet and SEH for the scope of services/preliminary work plan provided by the City of Cloquet.

Project Understanding and Background

SEH understands the City's goal of the TH 33 South Corridor Study and Access Management Plan is to identify, assess, and prioritize transportation improvements along the approximately 2.5-mile stretch of highway between Interstate 35 (I-35) and the St. Louis River that will enhance safety and increase mobility along this vital corridor. This segment of TH 33 serves higher volumes of both freight and commuter traffic as it interconnects the City of Cloquet and surrounding areas with I-35 to the south and US 53 to the north.

Anticipated economic growth along the corridor has prompted the City and other stakeholders (MnDOT Carlton County, etc.) to undertake such a study with the objective of identifying a long-term vision for the corridor that would recommend safety and mobility improvements such as access management strategies, geometric improvements, frontage roads, intersection control modifications, and improved pedestrian facilities.

MnDOT District 1 has been diligent in their efforts to maintain their existing transportation infrastructure and implement improvements along the State Trunk Highway system throughout northeastern Minnesota. In fact, recent improvements along TH 33, between County Road 7 (Big Lake Road) and Gillette Road, included reconstruction of the roadway and intersection modifications, (turn lane improvements, access modifications).

Scope of Services

Based upon our February 27, 2015 conference call and the March 27th Study Committee meeting, we have prepared this supplemental letter proposal for the TH 33 South Corridor Study and Access Management Plan Scope of Services/Preliminary Work Plan, dated February 2015.

Step One: Preparation – This task has primarily been completed as City staff has already conducted two Study Committee meetings (meetings #1 & #2). SEH attended the second meeting to learn more about the purpose of the project, confirm the study scope, study goals & objectives, critical success factors for each participating agency, and to gain an understanding of the long term TH 33 corridor vision.

Deliverables:

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 3535 Vadnais Center Drive, St. Paul, MN 55110-5196

SEH is 100% employee-owned | sehinc.com | 651.490.2000 | 800.325.2055 | 888.908.8166 fax

- *SEH will prepare a Technical Memorandum stating the study goals & objectives and summarizing the critical success factors for each participating agency.*

Step Two: Inventory of Existing Roadway Characteristic & Step Three: Inventory of Land Use Characteristics – SEH recommends combining these two tasks. Gathering a comprehensive collection of historical and existing data is vital in understanding the current corridor characteristics and its future challenges and opportunities. The expertise of our GIS staff combined with SEH transportation and land use planners will facilitate an efficient and comprehensive data collection effort. We propose reaching out to the project partners as well as other relevant agencies or organizations in order to collect and review background information such as existing and future land use plans, development regulations, existing traffic volumes, access inventory, existing roadway geometric characteristics, intersection control/signal timing, and natural resources along the corridor. To the extent possible, the historical and existing information will be collected in electronic formats (GIS datasets and images) so that a visual representation of the information can be depicted in project deliverables and utilized effectively at the public open house meeting and in the Corridor Study Report. At the March 27, 2015 Study Committee meeting, it was determined that the project partners (City of Cloquet, MnDOT, Carlton County, Arrowhead RDC, Fond Du Lac Indian Tribe) would be responsible for gathering available intersection approach traffic volumes and if necessary will supplement this data by conducting peak hour turning movement counts. This information will be provided to SEH for use in the assessment of conditions and development of concepts.

Deliverables:

- *SEH will prepare a Technical Memorandum summarizing the existing roadway characteristics, access conditions, traffic volumes, and land use characteristics along the TH 33 corridor.*
- *SEH will generate GIS base mapping depicting existing conditions.*
- *SEH will prepare a TH 33 South Corridor Issues Map*
- *After receiving traffic data from the Study Committee members, SEH will prepare a Technical Memorandum summarizing the future operational conditions and identify possible intersection improvements to address intersection capacity constraints and safety concerns.*
- *SEH will conduct Study Committee Meeting #3 to share existing conditions information and gather additional corridor issues/concerns from project partners.*

Step Four: Accident and Capacity Examination – This task will include the collection and assessment of 3 years of crash data and a review of existing capacity/operation concerns along the TH 33 corridor and all intersecting roadway approaches. As part of the MnDOT District 1 Safety Plan, they are currently reviewing the crash history for the I-35/TH 33/frontage road intersection. This crash data and any findings/recommendations from MnDOT's "Black Spot" assessment will be provided to SEH and the Study Committee. In addition, SEH will prepare forecast traffic volumes and an assessment of future corridor and intersection operations. Based on collected information (existing volumes, census data, land use plans, and development opportunities), traffic volume projections will be generated in 5 year increments from 2015 to 2035.

Deliverables

- *SEH will prepare Technical Memorandums summarizing the 3-year crash history for the corridor, assessment of existing capacity constraints, and preparation of forecast traffic volumes.*
- *SEH will conduct Study Committee Meeting #4 to share crash data, present preliminary traffic forecasts, and discuss access management strategies (see Step Five below).*

Step Five: Access Management – SEH will begin this task with a review of existing access (types and spacing) as compared to MnDOT's Access Management Guidelines for this segment of TH 33. Access management techniques/strategies will be explored for consideration along TH 33 including anticipated safety and mobility benefits, potential impacts on the local roadway system, and implementation costs.

Deliverables

- *SEH will prepare a Technical Memorandum highlighting the range of options and benefits of various access management techniques/strategies. SEH will also identify specific locations and prepare conceptual alternatives of access modifications for consideration by the Study Committee.*
- *SEH will include the presentation of access management strategies and conceptual designs in Study Committee Meeting #4.*

Step Six: Additional Analysis –The peak hour approach volumes will be used in a high-level Sychro/Sim Traffic model, that will forecast intersection approach traffic volumes and corridor volumes which can then be utilized to conduct future operations analyses (e.g. level of service rating) along the TH 33 corridor. SEH will also assess potential local connections to TH 33 and identify possible improvements (frontage roads, extension of local collectors, etc.) that would enhance local circulation, safety, and access to TH 33. Conceptual alternatives will be developed for up to 5 locations. The level of design will be sufficient to determine if the potential improvements are feasible and will outline potential impacts to existing developments and the natural environment. At a minimum, design concepts will be completed using LIDAR mapping (2-foot contours) to ensure constructability. These concepts will help define the types of improvements needed to realize the long range vision for TH 33.

Deliverables

- *SEH will develop conceptual alternatives for up to five local improvements (frontage roads, street extensions, etc.) that could relieve traffic from TH 33 and/or improve safety throughout the study area.*
- *SEH will conduct Study Committee Meeting #5 to present the findings of the forecast operational analysis and the preliminary concepts for improving local circulation, safety, and access to TH 33.*

Step Seven: Develop Recommendations – A series of corridor management recommendations will be developed that focus on strategic transportation and land use actions and policies that may be implemented by the project partners in order to achieve the long range corridor vision. These improvements and strategies are anticipated to include, but are not limited to, the following:

- *Corridor safety improvements (enhanced intersection geometry, intersection control, and access management strategies).*
- *Opportunities for enhanced bicycle and pedestrian facilities to create a better connected system of trails and sidewalks.*
- *Other local roadway improvements such as frontage/backage roads, extension of local collector roadways, and/or new roadway corridors to accommodate future development.*

The corridor management recommendations will include a high level cost estimate and include an assessment of possible cost participation for each affected jurisdiction (City, County, and MnDOT).

Deliverables

- *SEH will develop draft corridor management recommendations including conceptual alternatives with cost estimates as well as possible land use and transportation policy changes.*
- *SEH will conduct Study Committee Meeting #6 to present the draft corridor management recommendations and prepare for hosting a public open house meeting. Following the public meeting, SEH will refine the concepts and distribute copies to the Study Committee for final review.*
- *SEH will assist the City in hosting the Public Open House Meeting to present the draft corridor recommendations and gather public feedback.*

Step Eight: Implement Access Management Techniques and Final Study Report – SEH recommends the development of an Access Management Overlay District that could be adopted by the City of Cloquet and incorporated into the City's existing Zoning Ordinance. The overlay ordinance would include standards for new access as well as access modifications. Amendments to the City's Comprehensive Plan would also be recommended for incorporating the TH 33 South Corridor Study findings and corridor management recommendations. Other updates to the Comp Plan will be explored that would further emphasize the importance of TH 33 and goals/policies for protecting the safety and mobility of the corridor. SEH will assist the City in drafting the overlay ordinance standards and updates to the comprehensive plan, but the Cloquet Planning and Zoning staff would be responsible for coordinating the final documentation and amendments through the City's Planning Commission and City Council. The final task of the TH 33 South Corridor Study would be to create a complete record of the study process, findings, recommendations, and public outreach. SEH will prepare a Final Study Report that will be distributed to all project partners. This report will serve as a vital tool for future implementation and provides the City and MnDOT competitive edge when seeking non-traditional funds through highly competitive solicitation processes.

Deliverables

- *SEH will assist the City in developing an Access Management Overlay Ordinance and other Comprehensive Plan updates/revisions to reflect the findings and recommendations of the TH 33 South Corridor Study.*
- *SEH will prepare a Final Corridor Study Report.*
- *SEH will present the study process, findings, and recommendations to the City Council.*

Budget/Fee (all cost estimates include deliverables listed above and are assumed to be hourly-not-to-exceed including expenses):

1. Step 1: \$500.00
 2. Steps 2 & 3: \$11,500.00
 3. Step 4: \$9,000.00
 4. Step 5: \$8,500.00
 5. Step 6: \$19,000.00
 6. Step 7: \$14,000.00
 7. Step 8: \$7,000.00
- Total Study Cost Proposal: \$69,500

We will consider this a Supplemental Letter Agreement amendment to the original Master Agreement between SEH Inc. and the City of Cloquet, dated May 1, 2014 when authorized below.

SEH is ready to assist the City of Cloquet and your study partners with preparing the TH 33 South Corridor Study and Access Management Plan.

Respectfully submitted,



Mike Kraemer, PE
Project Principal



Robert Rogers, AICP
Transportation Planner/Project Manager

Authorized:

City of Cloquet

Date

Cloquet Highway 33 Corridor Study Meeting Minutes March 16, 2015

In Attendance: **Jim Prusak**, Cloquet City Engineer
 Caleb Peterson, Cloquet Assistant City Engineer
 Steve Stracek, Cloquet Chief of Police
 Holly Butcher, Cloquet Community Development Director
 Al Cottingham, Cloquet City Planner
 Jim Miles, Mn/DOT Traffic Engineer – District One
 Mike Tardy, Carlton County Engineer
 Andy Hubley, ARDC Director of Regional Planning

Meeting Called to Order by Jim Prusak, 10:00 AM, at Cloquet City Hall. This is the first “kick-off” meeting of the Study Group.

Corridor Study Background and Purpose: Over the years, continued development in Cloquet and in particular along South Trunk Highway 33 has raised questions regarding needed future roadway improvements that would better accommodate existing and future traffic and improve safety at key intersections. Traffic congestion, safety, travel speeds, geometrics and accesses have been identified as issues for this stretch of roadway. The roadway is the main thoroughfare for north/south through traffic, as well as a primary route for commuters, tourists and consumers. Potential future developments along the highway corridor are also being considered as well as other collector routes extending west from Highway 33 to other portions of Cloquet.

Potential recommendations for improving the TH 33 South corridor include the development of an access management plan, new frontage roads, additional traffic signals and improved pedestrian facilities. The goal of the plan is to provide a guide for the City of Cloquet and the Minnesota Department of Transportation (Mn/DOT) in regulating access onto the highway, so that it will be safer and more efficient in the future.

For now this study is focused on the south section of Highway 33 in Cloquet running from Interstate Highway I-35, north to the St. Louis River. At some time in the future, it is anticipated the northerly section from the St. Louis River to the north city limits will be looked at as well. At this time, however, the study of the northerly section has not been programmed. Funding assistance for the current study has been provided by the City of Cloquet and the Minnesota Department of Transportation (Mn/DOT) through Master Partnership Contract 02485W10 and it is anticipated the study will be completed by the end of November 2015.

Study Work Plan: A preliminary Work Plan, dated February 2015, for the Study was completed by the City of Cloquet (*see attached*) and this initial draft was circulated for discussion. At this time, there were no proposed revisions to the work plan, however, it is anticipated that revisions and refinements may take place as thing proceed.

Recent Traffic Accidents: Within the past few weeks, two major broadside accidents occurred on the south end of the Highway at the on-grade intersection with I-35 and the South Highway 33 Frontage Road. The accident on February 10th involved one fatality. This is not the first fatality at this location and continued accidents at this location are cause for heightened safety concerns on the part of the community. Jim Miles indicated Mn/DOT is well aware of the two accidents and recently received a petition requesting change at this intersection. They are currently reviewing this location with a consultant and the Mn/DOT Office of Traffic Safety and Operations as part of their District Safety Plan. He did caution, however, that this initial review will not be all encompassing but will be a quick review of the past accident history and the location site by “a second set of eyes” to determine any additional immediate improvements and any future direction on the issue. At this point, this intersection will remain a topic of discussion for the Cloquet Highway Corridor Study group.

Trails and Pedestrian Facilities: There are currently some snowmobile and ATV trails within the right-of-way along portions of this section of highway that have been established by use over the years. At this point none of these trails are believed to be permitted by Mn/DOT and there are concerns that some of these do not meet Mn/DOT standards to where they could even be permitted. This issue will be looked at as part of the Corridor Study. In addition, the City of Cloquet has expressed interest in developing improved pedestrian facilities, particularly from the section running from Big Lake Road (CSAH 7) to the Pinehurst Park area.

Consultant Selection: Currently the City has Short, Elliott Hendrickson Inc. (SEH) working on a number of park projects within Cloquet and also back in 2014 they also worked with the City Engineer’s Office in putting together preliminary plans for some frontage road revisions in the area of Pine Tree Plaza just south of Big Lake Road. SEH has offered a Proposal for Transportation/Engineering Services to complete the corridor study in response to the preliminary Work Plan as offered by the City. Discussion took place regarding the process the group would like to use for the consultant selection process. In light of Cloquet’s past and current working relationship with SEH and the short time frame available to complete this work, Cloquet suggested the group consider selecting SEH rather than soliciting a Request For Proposals from other consultants at this time. SEH is on Mn/DOT’s Approved Vendors List for transportation planning services and they are comfortable in following any selection process the City so chooses to use. It was the consensus of the group this was acceptable, however, before making a final selection, the group should meet with the consultant to review the work plan for the project and SEH’s Proposal.

Next Meeting: The next meeting of Corridor Study Group has been scheduled for **10:00 AM, Friday, March 27th** at the Cloquet City Hall. At this meeting the group will meet with the transportation consultant SEH Inc.

Adjournment: With there being no further business the meeting ended at 11:30 AM

JRP



DEPARTMENT OF PUBLIC WORKS

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Phone: 218-879-6758 • Fax: 218-879-6555
Street - Water - Sewer - Engineering
www.ci.cloquet.mn.us

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: James R. Prusak, Director of Public Works
Reviewed by: Brian Fritsinger, City Administrator
Date: March 31, 2015

ITEM DESCRIPTION: Set Public Hearing Date on the Proposed Improvement of West Taylor Avenue from South Oak Street, west approximately 1,300 feet and the connection of South Laurel Street to West Taylor Avenue.

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION 15-30, RESOLUTION SETTING PUBLIC HEARING DATE ON THE PROPOSED IMPROVEMENT OF WEST TAYLOR AVENUE FROM SOUTH OAK STREET, WEST APPROXIMATELY 1,300 FEET AND THE CONNECTION OF SOUTH LAUREL STREET TO WEST TAYLOR AVENUE** with a proposed hearing date of May 5, 2015.

Background/Overview

On April 1, 2013, the City Administrator's Office received a petition signed by 10 individuals requesting the paving of West Taylor Avenue, from South Oak Street, west approximately 1,300 feet. This existing roadway was original dedicated and graded as part of the Carson Michael Subdivision Plat back in 2005. It includes twelve residential lots, which average one acre in size. Currently there are ten homes, which have been constructed over the past nine years and two remaining vacant lots.

Lying to the west of this development is another similar portion of West Taylor Avenue that was dedicated back in 1997 as part of the Pinewood Addition Plat. This roadway extends east off of Pinewood Drive 1,200 feet and the two roadways dead end within 300 feet of each other. Also in the area is another dead-end street (South Laurel Street), which connects to Big Lake Road and then extends south 1,300 feet to within 300 feet of the West Taylor off of South Oak Street.

The dedication of dead-end streets longer than 500 feet are currently not allowed under the City's Subdivision Regulations and as a result, the current Comprehensive Land Use Plan depicts that one day all three of these roadways would be interconnected. This would make for a more integrated road system, which provides alternate accesses for the residents, emergency vehicles and other traffic within the area. At the same time, it also provides for easier and more efficient snow plowing operations, garbage collection, school bus routes and other delivery vehicle access.

Also on West Taylor, South Laurel and South Oak Streets, there are two rather long dead-end City water mains. Such dead-end water mains result in poorer water quality, lower fire hydrant flows, the potential for wider area service interruptions and also a greater threat of frozen water pipes during the winter months. In the past, frozen waterlines and water mains have been a problem on all three of these streets.

The connection of such dead-end streets rarely meets with the approval of local residents as in most people's minds it results in more vehicle traffic through the area. Knowing this and also the directives of the Land Use Plan, on August 7, 2014 the Engineering Department invited the residents from all three neighborhoods to attend an informal public information meeting. The purpose of this meeting was to discuss the tentative project, the various design proposals, to answer questions, receive comments and ultimately to report back to the City Council.

Because there is only one real roadway access to the western portion of Cloquet (Big Lake Road) it is anticipated the connection between the two West Taylor Avenue segments would likely result in a disruptive increase in traffic to the four residential areas affected and for this reason the Department did not recommend this connection. If the two West Taylors were not to be connected, it is recommended that larger cul-de-sacs be constructed at the two dead-ends to better accommodate vehicles turning around.

In our opinion, however, the connection between South Laurel Street and West Taylor Avenue off of South Oak Street would not have this same affect. This connection would serve to eliminate two dead-end road segments that each are well over one-half mile long and would also easily accommodate the looping of the two dead-end water mains. For this reason it was recommended that South Laurel be connected to the easterly portion of West Taylor.

Approximately 15 people attended the August 7th Public Information Meeting. Although the general consensus of the group supported the paving of West Taylor, nobody spoke in support of connecting any of the dead end road segments and several people spoke in opposition.

Although work on preliminary plans for the project have not been completed at this time, they are relative simple in nature. It is anticipated the roadways would be paved to rural residential standards approximately 24-foot wide and without curb and gutter. Before proceeding, however, it is recommended a public hearing on the proposed improvement be held in accordance with MN Statutes Chapter 429. During this meeting, the Council will take formal public input to assist them in their decision as to how the City should proceed.

Policy Objectives

To respond to petitions for roadway improvements and to advance proposed capital improvement projects but prior to approval, affected property owners shall be provided an opportunity to make comments in reference to the proposed improvements in accordance with State Statutes.

Financial/Budget/Grant Considerations

The City's 2015 Capital Improvement Plan (CIP) and budget included \$130,000 for this project. The current estimated cost to pave West Taylor off of South Oak Street is \$60,000. If the interconnections between all three dead-end roads were included in the paving project, this would add an additional \$46,000 in grading and paving costs. To connect the two dead-end water mains between South Laurel and West Taylor would cost an additional \$24,000. In accordance with current City policy, approximately 85% of the blacktop costs would be assessed to individual properties along the street.

Only one-half of the road right-of-ways to complete the interconnections have been formally dedicated and to obtain the two remaining portions would also involve additional costs related to land acquisition and it is very likely these acquisitions would require condemnation or eminent domain proceedings.

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- Resolution 15-30.
- Map of project area.

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

RESOLUTION NO. 15-30

**RESOLUTION SETTING PUBLIC HEARING DATE ON
THE PROPOSED IMPROVEMENT OF
WEST TAYLOR AVENUE FROM SOUTH OAK STREET,
WEST APPROXIMATELY 1,300 FEET AND THE CONNECTION OF
SOUTH LAUREL STREET TO WEST TAYLOR AVENUE**

WHEREAS, A petition has been received requesting the paving of West Taylor Avenue running west of South Oak Street; and

WHEREAS, A City Engineer has prepared a preliminary report on the proposed improvement as well as the connection of other existing dead end streets and utilities in the area; and

WHEREAS, It is anticipated that benefitted properties will be assessed for a portion of the project costs, pursuant to Minnesota Statutes, Chapter 429.

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

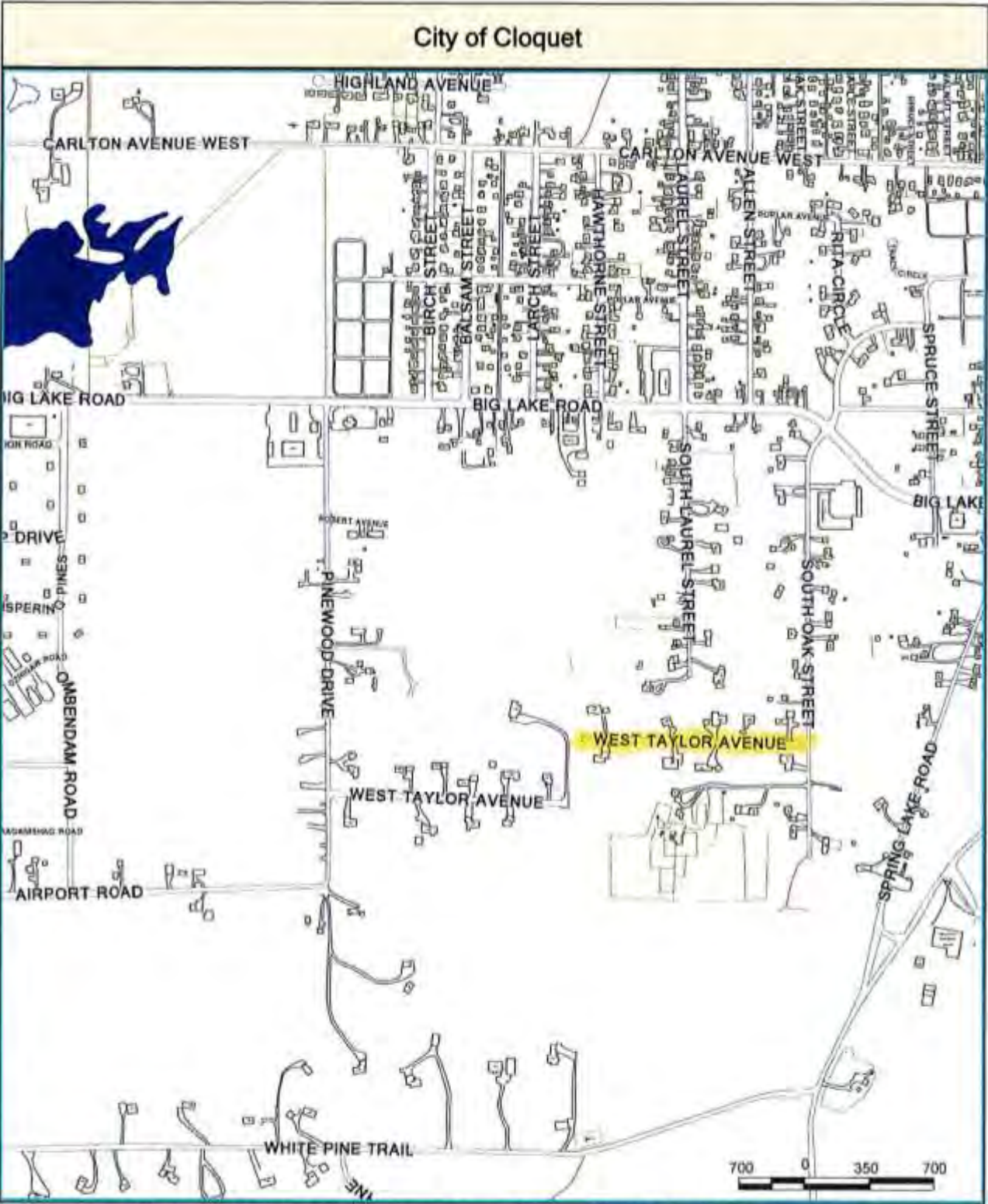
1. That the Council will consider the improvement of West Taylor Avenue from South Oak Street, continued west approximately 1,300 feet, as well as the connection of other dead end streets and utilities in the area and the assessment of abutting properties for a portion of the cost, pursuant to Minnesota Statutes, Chapter 429. The total improvement is estimated to cost \$130,000.
2. A hearing shall be held on May 5, 2015, in the City Council Chambers at 7:00 p.m.
3. The City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 7TH DAY OF APRIL, 2015.**

Dave Hallback, Mayor

ATTEST:

Brian Fritsinger, City Administrator



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

Petition To Pave West Taylor
West of South Oak Street



DEPARTMENT OF PUBLIC WORKS

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Street - Water - Sewer - Engineering
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REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: James R. Prusak, Director of Public Works
Reviewed by: Brian Fritsinger, City Administrator
Date: April 2, 2015

ITEM DESCRIPTION: Approving final 22nd Street Reconstruction special assessments for 429 – 22nd Street.

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION NO. 15-31, ADOPTING THE FINAL ASSESSMENT FOR 429 – 22ND STREET ASSOCIATED WITH THE 2014 IMPROVEMENT OF 22ND STREET AS ORIGINALLY PROPOSED AT THE MARCH 3, 2015 ASSESSMENT PUBLIC HEARING** or any changes thereto.

Background/Overview

On March 3, 2015, the Cloquet City Council held a public hearing on the proposed special assessments for the 2014 reconstruction of 22nd Street from Prospect Avenue to Carlton Avenue. At that hearing the City Council was presented with a partial Application For Deferment of Special Assessment by Delores Calverly, the owner of 429 – 22nd Street.

The deferral of special assessments are allowed in accordance with MN Statutes Section 435.193 and Chapter 12 of the City Code. Such deferrals, however, are limited to persons sixty-five years of age or older or persons who are retired due to total or permanent disability. In addition there are certain income and monetary asset requirements.

The City Administrator's Office has advised Ms. Calverly of these requirements and also the required documents she would have to provide to complete her deferment application. To date these have not been received. At this time it is recommended the final assessment for the Calverly property be approved as originally proposed at the March 3, 2015 public hearing and if Ms. Calverly brings in the required documents to complete the deferment application it can be reconsidered at that time.

Policy Objectives

To adopt a final assessment role for the completed improvement in accordance with current City policy and in accordance with State Statutes.

Financial/Budget/Grant Considerations

The final assessment for the Calverly property related to the 22nd Street Improvement was \$4,484.48 and under the terms of the assessment role for the project, this could be paid over a ten year period at 8 percent interest.

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- Resolution No. 15-31.
- Section 12.2.11 of the City Code.

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

RESOLUTION NO. 15-31

ADOPTING THE FINAL ASSESSMENT FOR 429 – 22ND STREET ASSOCIATED WITH THE 2014 IMPROVEMENT OF 22ND STREET AS ORIGINALLY PROPOSED AT THE MARCH 3, 2015 ASSESSMENT PUBLIC HEARING.

WHEREAS, The Cloquet City Council on March 18, 2014, held a hearing to consider the improvement of these sections of 22nd Street and Selmsner Avenue; 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 3, 2015, and at said meeting and time all parties interested would be given an opportunity to be heard; and

WHEREAS, The deferral of special assessments are allowed for certain seniors and disabled homeowners, in accordance with MN Statutes Section 435.193 and Chapter 12 of the City Code; and

WHEREAS, A partial Application For Deferment of Special Assessment was presented by Delores Calverly, the owner of 429 – 22nd Street; and

WHEREAS, To date the applicant has not provided all documents required for her deferment application to be considered.

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

1. Such assessment, for Parcel 06-265-0260 shall remain as originally proposed at the March 3, 2015 public hearing in the amount of \$4,484.48 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 eight percent (8%) per annum from April 3, 2015. Property owners may prepay the entire assessment, or any portion of it, to the City of Cloquet without interest prior to April 3, 2015. 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.
3. If at some time in the future the owner of the property provides the required documents, the Application For Deferment of said Special Assessment can be considered at that time.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET THIS 7TH DAY OF APRIL, 2015.

ATTEST:

Dave Hallback, Mayor

Brian Fritsinger, City Administrator

Subd. 6. Sanitary Sewer Lift Station Replacement Or Reconstruction. When an existing sanitary sewer lift station shall be constructed or replaced as a result of system age, deterioration, or overload, the cost of the lift station replacement shall be paid for by the City.

Subd. 7. Adjusted Frontage - Irregular Shaped Lots. When the amount of an assessment shall be determined by frontage, in the case of pie-shaped or irregular shaped lots, an equivalent assessable front footage shall be determined by dividing the square footage of the lot by the general lot depth of the subdivision.

Subd. 8. Project Development, Design and Administrative Fees. The City may assess the cost of applicable project development, design and administrative fees associated with any assessed improvements.

Subd. 9. Special Cases. In special cases, the City Council may, by resolution, exempt certain properties from special assessments if the property shall be considered unsuitable for residential, commercial or industrial development or would otherwise not be benefited or improved by the reconstruction of sanitary sewer or water utilities. As an alternative to assessing the cost of certain utility reconstruction projects extensions on the basis of frontage, the City Council may elect to assess these improvements on a per connection or on a per lot basis.

12.2.11. Deferral of Special Assessments for Seniors and Retired, Disabled Homeowners.

Subd. 1. Legislative Authority. Pursuant to Minnesota Statutes Section 435.193, the City Council may defer special assessments levied against the homestead property of a senior citizen or retired, disabled homeowner for whom it would be a hardship to make the annual payments. The City Council will act on all deferral requests once an application, as adopted by the City, has been completed.

Subd. 2. Eligibility For Deferral; Application: Any person sixty-five (65) years of age or older or retired due to total or permanent disability may apply for a deferral of special assessments, provided the following conditions are met:

- a. Homestead: The property being assessed must be the applicant's principal place of domicile. The Classification of the property as homestead on the County's tax rolls combined with the applicant's name being shown as owner shall be considered adequate proof that the property is the applicant's homestead.
- b. Annual Gross Income: The annual gross income of the applicant and spouse, according to their previous year's federal income tax return, plus their tax exempt income, does not exceed 110% of the federal poverty line as defined for Carlton County. If no such return was made, the City Administrator shall require the applicant to submit other pertinent information to show that this qualification is met.
- c. The average annual payment due, principal and interest for the assessments levied against the property exceeds three percent (3%) of the applicant's annual income as thus calculated. (i.e. \$10,000 income x 0.03 = \$300).
- d. The special assessments to be deferred exceed five thousand dollars (\$5,000).
- e. The total assets of the applicant and spouse, exclusive of the homestead, do not exceed thirty thousand dollars (\$30,000).
- f. The County Assessors market value of the applicant's homestead parcel shall not exceed one hundred thousand dollars (\$100,000)
- g. Parcels located within the F-R, Farm Residential, Zoning District must be five (5) acres or less in size. Parcels located within all other zoning districts must be less than one (1) acre in size.

- h. The applicant shall not have signed a petition for the improvement for which the assessment is proposed.
- i. The application, in a form prescribed by the City, shall be completed and filed annually with the City Administrator not later than August 31 of each year. The City Administrator will verify that the applicant meets the above conditions. Any additional forms required by the County for recording the deferral shall also be completed.
- j. Exceptional and Unusual Circumstances. Notwithstanding the foregoing provisions of this subsection, the City Council may consider exceptional and unusual circumstances pertaining to an applicant not covered by the above standards; but any determination shall be made in a nondiscriminatory manner and shall not give the applicant an unreasonable preference or advantage over other applicants.

Subd. 3. Interest on Deferred Assessments: All deferred assessments shall be subject to and charged simple interest at the rate established by the City Council in the resolution adopting the assessment roll. This interest shall accrue over the life of the assessment. No interest shall accrue past the date at which the assessment would have been fully paid if not deferred.

Subd. 4. Termination of Deferral Status: It shall be the duty of the applicant, his/her heirs or legal representative to notify the City Administrator of any changes in status which affect the eligibility for the deferral. Special assessments deferred pursuant to the eligibility requirements set forth herein shall terminate and become payable, together with accumulated interest, upon the occurrence of any one of the following events:

- a. Transfer of Ownership: The property is sold, transferred, subdivided or in any way conveyed to another by the individual for whom the deferral was granted.
- b. Death of Owner: The death of the owner qualified for the deferral, unless a surviving joint tenant or tenant in common is eligible for the deferral benefit provided herein.
- c. Loss of Homestead Status: The property loses its homestead status for any reason.
- d. No Hardship: The City Council determines that there would be no hardship to require an immediate or partial payment.

Subd. 5. Disability: Retirement by reason of permanent and total disability shall be deemed prima facie to exist when the applicant presents a sworn affidavit by a licensed medical doctor attesting that the applicant is unable to be gainfully employed because of a permanent and total disability in any occupation for which he/she may be qualified.



DEPARTMENT OF PUBLIC WORKS

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Street - Water - Sewer – Engineering - Park
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REQUEST FOR COUNCIL ACTION

To: City Council
From: Caleb Peterson, Assistant Engineer
Reviewed By: Brian Fritsinger, City Administrator
Date: April 2, 2015

ITEM DESCRIPTION: Authorization to Bid 2015 Park Improvements.

Proposed Action

Staff recommends that the City Council move to adopt **RESOLUTION 15-32, RESOLUTION APPROVING THE SOLICITATION OF BIDS FOR 2015 PARK IMPROVEMENTS AT PINEHURST AND SUNNYSIDE PARKS.**

Background/Overview

In May of 2014, the City contracted with Short Elliot Hendrickson (SEH) to complete construction documents for planned park improvements at Pinehurst and Sunnyside Parks. The improvements were identified as part of joint process with the Council and Park Commission to prioritize potential projects from the Park Master Plan and provide the Community with its first sales tax project. A brief outline of project scope is can be found below:

Pinehurst Park

- Reconstruction of two existing tennis courts.
- Addition of a basketball court.
- Reorientation and paving of parking area to include seasonal use as a hockey rink.
- Parking area, rink and court lighting.
- ADA, landscape and drainage improvements surrounding the tennis courts, parking and central park areas.
- New fencing surrounding the swimming pond.

Sunnyside Park

- Reconstruction of two existing tennis courts and one basketball court.
- Landscape and drainage improvements surrounding courts.

A representative from SEH will be present at the meeting to give the Council and Public a more detailed review of the proposed improvements. A site plan from each location is attached to this report for Council review prior to the meeting. At this point, staff is requesting the Council authorize solicitation of bids for the proposed improvements. Once bids are received, the Council will need to formally award a contract to the lowest responsible bidder before construction can proceed.

Policy Objectives

Policy 1.3 – Improvements to parks shall follow a process that engages park users, stakeholders, and neighbors to ensure changes are aligned with community needs and interests.

Policy 2.5 – All park resources shall be maintained in a way that ensures they are safe and attractive.

Project Schedule

April 7 - Review scope of improvements and receive authorization to bid.

April 17 - Bid Advertisement.

May 8 - Bid Opening.

May 13 - Council Award of Project.

August thru Early October 2015 – Construction.

Financial/Budget/Grant Considerations

The current budget estimate for this project is as follows:

| | Pinhurst | Sunnyside |
|--------------------|-------------|--------------------|
| Civil | \$567,000 | \$154,000 |
| LA | \$330,000 | \$115,000 |
| Elec / Ligh | \$187,000 | \$0 |
| Arch | \$23,000 | \$0 |
| | | |
| TOTAL | \$1,107,000 | \$269,000 |
| | | |
| GRAND TOTAL | | \$1,376,000 |

It is anticipated the project would be funded using sales tax revenues.

Advisory Committee/Commission Action

N/A.

Supporting Documents Attached

- Resolution No. 15-32.
- Project Site Plans.

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

RESOLUTION NO. 15-32

**RESOLUTION APPROVING THE SOLICITATION OF BIDS FOR
2015 PARK IMPROVEMENTS AT PINEHURST AND SUNNYSIDE PARKS.**

WHEREAS, The City has identified the completion of Pinehurst Park improvements as a priority following the recent swimming pond reconstruction; and

WHEREAS, The existing athletic courts in Pinehurst and Sunnyside Parks are in poor condition and warrant complete replacement; and

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

WHEREAS, On May 20, 2014, the City Council awarded a contract to SEH Inc. to complete design plans and specifications for identified improvements at Pinehurst Park and Sunnyside Parks; and

WHEREAS, The City now wishes to proceed with these improvements.

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

1. Such plans and specifications are hereby approved.
2. The City Engineer is hereby authorized to advertise and solicit bids for such improvements.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CLOQUET
THIS 7TH DAY OF APRIL, 2015.**

Dave Hallback, Mayor

ATTEST:

Brian Fritsinger, City Administrator