



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

CITY COUNCIL WORK SESSION

5:30 p.m. Middle School Reuse Presentation (Supt. Scarbrough)
6:15 p.m. Storm Water Management Ordinance Amendments
6:55 p.m. Future Work Session Agenda Planning
2016 Draft CIP (at conclusion of Regular Meeting)

1. **Roll Call**
2. **Approval of Agenda**
 - a. Approval of July 7, 2015 Council Agenda.
3. **Approval of Council Minutes**
 - a. Work Session minutes from the June 16, 2015 meeting.
 - b. Regular Council minutes from the June 16, 2015 meeting.
 - c. Special Meeting minutes from the June 30, 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. 15-56, Authorizing the Payment of Bills
 - b. Approval of New Liquor License for 2015-2016.
5. **Public Hearings**

None.
6. **Presentations**

None.



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

7. Council Business

- a. Appointment of Parks Maintenance Persons (2)
- b. Appointment of Peter Johnson to Engineering Tech II
- c. DNR Temporary Access Agreement
- d. Hilltop Park Improvements Bid Authorization

8. Public Comments

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

9. Council Comments, Announcements, and Updates

10. Adjournment

CLOQUET CITY COUNCIL WORK SESSION

Tuesday, June 16, 2015, 5:30 p.m.

Meeting Minutes

Present: Bjerckness, Kolodge, Langley, Maki, Rock, Wilkinson, and Mayor Hallback

Absent: None

Staff: Fritsinger, Butcher, Klassen, C. Peterson, St. Arnold

Other: Deborah Medlin, Wipfli, LLP

2014 FINANCIAL AUDIT REVIEW

Deborah Medlin from Wipfli, LLP, shared various schedules and reports from the City's 2014 CAFR. Highlighted items are as follows:

- Nancy Klassen will receive the 2014 Certificate of Achievement for her excellence in financial reporting. Kudos to Nancy!
- Ms. Medlin discussed the budget and actual results for the General Fund, noting fund balances are where they should be.
- Sewer fund negative balance is due to Sappi's decrease in usage, which is out of the City's control. Ms. Klassen stated another rate increase is being discussed and Public Works has been made aware to determine if there is a meter issue or a change in flowage amount.
- Ms. Medlin reviewed the Independent Auditor's report and their responsibility to follow auditing standards, resulting in a clean report.
- The complete CFAR will be available on the City website.

WATERFRONT MASTER PLAN REVIEW

Mr. Fritsinger stated the Waterfront Master Plan is on the Council agenda for final acceptance. Detail of the plan will not be discussed at the meeting, but a broader background will be given. Mr. Fritsinger then gave an overview of the history of the project to this point and the components of the plan including rough estimates, previous meetings with SEH prioritizing projects and processes. Items were pulled together and summarized to serve as a guide.

Mr. Fritsinger acknowledged the critical issue for much of the master plan process is funding. Opportunities to leverage dollars may include a sales tax increase and Legacy Grant monies. Caleb Peterson has attended trainings on the Legacy monies to learn the qualifications and process. Caleb shared the following information on the Legacy Fund process:

- Legislature has recently created the Greater MN Trails and Parks, and it is now a 2 step process. Applicants need to designate the location as a regional facility, which the City is in the process of now. A Master Plan needs to be adopted to be eligible for the funding and to meet requirements. If selected, the City would be ready to go forward with plan. There is no match requirements for Legacy Funds.
- This may also be a source of funding for a possible trail expansion project.
- The City will be notified by July of the status on Legacy award. The Legacy Grant is very competitive, Caleb is researching other funding options.

Mr. Fritsinger feels we are at a place where the plans can be stacked up against each other. \$4.5 million going forward from the .5% sales tax, with the Pinehurst Park project being the first and going forward this summer.

Mr. Fritsinger then reviewed the current draft CIP park projects timeline from 2016 through 2019. Projects include the River Front north shoreline, Pine Valley bike trail development, regional trail development, Braun Park field improvements, and Athletic Park redesign and development.

The City was recently approached about the acquisition of private property on Dunlap Island. This opportunity could further the recommendation of the Master Plan. Benefits of purchasing the property would allow the City to deal with the issue of ATV traffic through campground by extending the trail system. The Council was in agreement to have further discussions with the property owner.

Mr. Fritsinger discussed park projects as follows:

- Skate Park location has not been identified. The City maintains their part in funding remains at \$100,000.
- Fauley Park discussion on beautification of the property. Mr. Fritsinger is not in favor of covering the train. Total project amount is \$150,000, vs SEH's estimate of \$800,000, which included covering the train. More discussion of options will take place at a later date. The Council was supportive of a scaled back project being completed at Fauley before Wentworth Park.
- Veterans Memorial/Stage plans identify a wall surrounding the memorial with a stage constructed on the back side. A stage that size would accommodate 90% of the activities at the park.
- Other identified projects include Skyline/North River Front trail landscaping and beautification in 2017; Dunlap Island, minus any work on the bridge also in 2017; Regional Trail/River Front in 2018; Pine Valley Bike Trail and Chalet, 2018; Vets Park Entry, 2019; Braun Park Irrigation, 2020; Athletic Park 2021; and Vets Park picnic shelter 2022.

Discussion on the timeline included the aggressiveness of the timeline. Comments on the priority of Pine Valley, noting it is a gem in the center of the City. Can Veteran's Entry Plaza move up in priority to 2017? Mr. Fritsinger's response was yes.

Mr. Fritsinger stated the Parks Commission hasn't looked at any of this yet. Feedback and input will be needed from them as well. The presented layout shown tonight is only the first round of projects.

OTHER/FUTURE AGENDAS

There was no discussion on future agenda items.

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

Respectfully Submitted:

Brian Fritsinger
City Administrator

 **DRAFT**Council Chambers, Cloquet, Minnesota
7:02 P.M. June 16, 2015

Regular Meeting.

Roll Call.

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

Councilors Absent: None.

AGENDA**MOTION:** Councilor Langley moved and Councilor Maki seconded the motion to approve the June 16, 2015 agenda. The motion carried unanimously (7-0).**MINUTES****MOTION:** Councilor Wilkinson moved and Councilor Langley seconded the motion to approve the minutes of the work session and regular meeting of June 2, 2015. The motion carried unanimously (7-0).**CONSENT AGENDA****MOTION:** Councilor Kolodge moved and Councilor Langley seconded the motion to adopt the consent agenda of June 16, 2015 approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 15-51, Authorizing the Payment of Bills
- b. Peddlers, Solicitors, & Transient Merchants License – Generous Jerry’s Fireworks
- c. 2015-2016 Liquor and Related Business License Renewals

PUBLIC HEARINGS

There were none.

PRESENTATIONS

There were none.

ZONING CASE 15-10: ZONING ORDINANCE TEXT AMENDMENT – IP – INDUSTRIAL PARK**MOTION:** Councilor Bjerkness moved and Councilor Wilkinson seconded the motion to adopt **ORDINANCE NO. 445A, AN ORDINANCE TO AMEND CHAPTER 17 OF THE MUNICIPAL CODE PERTAINING TO IP – INDUSTRIAL PARK**. The motion carried unanimously (6-0).

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

- Section 1.** **Section 17.6.16 IP – Industrial Park is renamed to OM – Office/Manufacturing.**
- Section 2.** All reference to the IP District throughout Section 17.6.16 be amended to read OM District.
- Section 3.** **Section 17.6.16 Subd. 4, D. Commercial** is deleted in its entirety.
- Section 4.** **Effective Date.** This ordinance shall take effect and be in force from and after its passage and publication in accordance with law.

ZONING CASE 15-09: COMPREHENSIVE PLAN AMENDMENT (LAND USE) AND REZONING

MOTION: Councilor Bjerkness moved and Councilor Kolodge seconded the motion to adopt **RESOLUTION NO. 15-48, A RESOLUTION APPROVING THE COMPREHENSIVE PLAN AMENDMENT (LAND USE PLAN) FROM “HIGHWAY COMMERCIAL” TO “LIGHT INDUSTRY”**. The motion carried unanimously (7-0).

WHEREAS, The City of Cloquet Economic Development Authority is proposing a Comprehensive Plan Amendment (Land Use Plan) from “Highway Commercial” to “Light Industry”; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on June 9, 2015 at which time Zoning Case / Development Review No. 15-09 was heard and discussed; and **WHEREAS,** the property of the proposed Comprehensive Plan Amendment (Land Use Plan) is located West of Highway 33 and north of Stark Road and is legally described as follows:

All of Block 4 and 5 and the Open Space, Cloquet Business Park.

WHEREAS, the Planning Commission reviewed the staff report and recommended approval of the Comprehensive Plan Amendment (Land Use Plan) from “Highway Commercial” to “Light Industry”.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves the Comprehensive Plan Amendment (Land Use Plan) from “Highway Commercial” to “Light Industry”.

ZONING CASE 15-09: COMPREHENSIVE PLAN AMENDMENT (LAND USE) AND REZONING

MOTION: Councilor Wilkinson moved and Councilor Langley seconded the motion to adopt **ORDINANCE NO. 446A, AN ORDINANCE TO AMEND CHAPTER 17 OF THE CITY CODE, BY AMENDING THE ZONING MAP OF THE CITY OF CLOQUET FROM “RC - REGIONAL (HIGHWAY) COMMERCIAL” TO “OM - OFFICE/MANUFACTURING”**

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

Section 1. The Zoning Map of the City of Cloquet is hereby amended to change the zoning designation of the following described property from RC – Regional (Highway) Commercial to OM – Office/Manufacturing:

All of Block 4 and 5 and the Open Space, Cloquet Business Park.

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

ZONING CASE NO. 15-11: COMPREHENSIVE PLAN AMENDMENT (LAND USE PLAN) AND REZONING

MOTION: Councilor Rock moved and Councilor Bjerkness seconded the motion to adopt **RESOLUTION NO. 15-47, A RESOLUTION APPROVING THE COMPREHENSIVE PLAN AMENDMENT (LAND USE PLAN) FROM “PUBLIC/SEMI-PUBLIC/INSTITUTIONAL” TO “MODERATE-DENSITY TO HIGH-DENSITY RESIDENTIAL”**. The motion carried unanimously (7-0).

WHEREAS, The City of Cloquet is proposing a Comprehensive Plan Amendment (Land Use Plan) from “Public/Semi-Public/Institutional” to “Moderate-Density to High-Density Residential”; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on June 9, 2015 at which time Zoning Case / Development Review No. 15-11 was heard and discussed; and

WHEREAS, the property of the proposed Comprehensive Plan Amendment (Land Use Plan) is located south of I-35 and west of 14th Street and is legally described as follows:

All that part of the Southwest Quarter of the Southwest Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota lying South of the center line of Interstate Highway 35 and West of the center line of County Highway 3 EXCEPT Parcel 325 on Right-of-Way Plat No. 09-4.

WHEREAS, the Planning Commission reviewed the staff report and recommended approval of the Comprehensive Plan Amendment (Land Use Plan) from “Public/Semi-Public/Institutional” to “Moderate-Density to High-Density Residential”.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves the Comprehensive Plan Amendment (Land Use Plan) from “Public/Semi-Public/Institutional” to “Moderate-Density to High-Density Residential”.

ZONING CASE 15-11: COMPREHENSIVE PLAN AMENDMENT (LAND USE) AND REZONING

MOTION: Councilor Bjerkness moved and Councilor Wilkinson seconded the motion to adopt **ORDINANCE NO. 444A, AN ORDINANCE TO AMEND CHAPTER 17 OF THE CITY CODE, BY AMENDING THE ZONING MAP OF THE CITY OF CLOQUET FROM “PI – PUBLIC/INSTITUTIONAL” TO “SR - SUBURBAN RESIDENTIAL”**

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

Section 1. The Zoning Map of the City of Cloquet is hereby amended to change the zoning designation of the following described property from PI, Public/Institutional to SR, Suburban Residential:

All that part of the Southwest Quarter of the Southwest Quarter, Section 25, Township 49, Range 17, Carlton County, Minnesota lying South of the center line of Interstate Highway 35 and West of the center line of County Highway 3 EXCEPT Parcel 325 on Right-of-Way Plat No. 09-4.

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

ZONING CASE 15-12: SITE PLAN FOR LEC ORTHODONTICS

MOTION: Councilor Rock moved and Councilor Maki seconded the motion to adopt **RESOLUTION 15-50, A RESOLUTION APPROVING THE SITE PLAN IN THE RC – REGIONAL (HIGHWAY) COMMERCIAL DISTRICT FOR LEC ORTHODONTICS**. The motion carried unanimously (7-0).

WHEREAS, LEC Orthodontics is proposing a Site Plan in the RC – Regional (Highway) Commercial District; and

WHEREAS, the property of the proposed Site Plan is located at 708 Stanley Avenue and is legally described as follows:

Lot 3 and 4, Block 2, Demenge Acres

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

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that it approves of Zoning Case 15-12 for a site plan for LEC Orthodontics.

JUNE 6TH CLEAN UP DAY

Community Development Director Butcher provided an overview of the recent 2015 Clean Up Day held on June 6th.

2014 FUND BALANCE POLICY PLAN

MOTION: Councilor Bjerkness moved and Councilor Maki seconded the motion to approve the 2014 Fund Balance Policy Plan. The motion carried unanimously (7-0).

2014 AUDIT RESULTS

MOTION: Councilor Wilkinson moved and Councilor Kolodge seconded the motion to accept the 2014 audit results as prepared by Wipfli, LLP. The motion carried unanimously (7-0).

WATERFRONT MASTER PLAN

MOTION: Councilor Rock moved Councilor Wilkinson seconded the motion to adopt **RESOLUTION 15-52, A RESOLUTION ACCEPTING THE CITY OF CLOQUET WATERFRONT MASTER PLAN**. The motion carried unanimously (7-0).

WHEREAS, The City has identified improvements to the St. Louis River Waterfront as a priority of the Park System Master Plan; and

WHEREAS, The City entered into a contract with Short Elliot Hendrickson (SEH) to conduct a planning process engaging the public towards development of a consensus plan for the waterfront area; and

WHEREAS, the Council appointed Waterfront Committee held a three day charrette seeking input from community stakeholders and the general public; and

WHEREAS, SEH has developed a draft Waterfront Master Plan based on public input and the direction of the Waterfront Committee; and

WHEREAS, Community response to the plan has thus far been positive;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, that the City of Cloquet Waterfront Master Plan is hereby accepted.

LONG GRASS PROCEDURES

MOTION: Councilor Kolodge moved and Councilor Wilkinson seconded the motion to adopt **ORDINANCE NO. 448A, AN ORDINANCE AMENDING SECTION 7.2 OF CITY CODE RELATED TO LONG GRASS PROCEDURES**. The motion carried unanimously (7-0).

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

Section 1. That Section 7.2.01 be amended to add the following definition:

H. Vegetation Public Nuisance. Any weeds or grass growing to a height greater than six (6) inches or which have gone or are about to go to seed, all accumulations of noxious weeds, other rank growths of vegetation, fallen trees, dead tree limbs or invasive brush that is injurious to managed landscapes, lawns and the natural flora of the City, are declared to be a nuisance condition and a hazard to the public health, safety and good order of the City, whether found upon public or private property.

Section 2. That Subsections A, B, C and D of Section 7.2.06 be deleted and replaced with the following:

7.2.06 Grass and Weeds on Private Property.

A. It shall be unlawful for any owner, occupant, or agent of the owner of any lot or parcel of land in the City to allow noxious weeds to grow on any such lot or parcel or to allow grass and weeds upon any such lot or parcel to grow to a height in excess of six (6) inches or to allow such weeds or grass to go to seed, or to otherwise maintain a vegetation public nuisance. Grass or weeds can be grown to a height in excess of six (6) inches or allowed to go to seed without being deemed a vegetation public nuisance in the following circumstances:

The area of the lot or parcel constitutes wetlands or a wetland buffer area;

The area in question is a storm water pond;

The area in question is heavily forested;

The area in question is a park or nature preserve;

The area in question is a natural area not to exceed a quarter of the lot;

The area in question is deemed agricultural land and is used as such;

The area in question is on a slope in excess of a slope ratio of 3 to 1.

B. If any such owner, occupant or agent fails to comply with this height limitation or otherwise maintains a vegetation public nuisance, and after an abatement notice given by the City Administrator or his designee, has not within five (5) days following service of such notice complied, the City shall cause such grass or weeds to be cut or otherwise abate such vegetation public nuisance and the expenses thus incurred shall be billed to the property owner, and any outstanding charges unpaid on the fifteenth (15th) of November following said abatement shall be made a special assessment and become a lien upon such real estate. The notice shall contain a description of the nuisance condition to be abated and a general notice that the City may abate future violations of Section 7.2.06(A) throughout the rest of the growing season without providing additional specific notice for the same type of vegetation public nuisance violation. This notice shall remain in effect through October 31st of the year in which it is sent. The City Administrator shall be authorized to certify to the Carlton County Auditor a statement of the amount of the cost incurred by the City. Such amount together with interest shall be entered as a special assessment against such lot or parcel of land and shall be collected in the same manner as real estate taxes.

C. All individual notices provided for herein may be served personally or may be served by mail. Service by mail shall be complete upon mailing to the property owner at the address listed on the current property tax statement for that parcel, as found in the records of the County Auditor or Treasurer's office, and following posting of the notice upon the premises.

D. The bill to the property owner for the abatement of a vegetation public nuisance shall state the amount and basis for the costs, and shall include the same general notice as contained within the abatement notice, that the City may abate future violations of Section 7.2.06(A) throughout the rest of the growing season without providing additional specific notice for the same type of vegetation public nuisance violation. The bill shall further provide notice that any outstanding charges unpaid on the fifteenth (15th) of November

following said abatement shall be made a special assessment against such lot or parcel of land and shall be collected in the same manner as real estate taxes, and that any objection to such assessment must be made in writing to the City Administrator prior to that date. The notice shall also provide the time, place and date of a hearing before the City Council to determine the validity and the amount of the proposed assessments, and shall state that no objections thereto shall be heard unless properly made in writing to the City Administrator as provided above.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its passage and publication in accordance with law.

PUBLIC COMMENTS

There were none.

COUNCIL COMMENTS/UPDATES

Councilor Kolodge acknowledged Nancy Klassen, Finance Director, for her Certificate of Achievement for Excellence in Financial Reporting.

Councilor Bjerkness reminded the public about the fantastic 4th of July Celebration and activities planned for the holiday.

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

Brian Fritsinger, City Administrator

A stamp in the top right corner consisting of a small icon of a document with a checkmark and the word "DRAFT" in large, bold, capital letters.**SPECIAL MEETING**

Roll Call

Councilors Present: Bjerkness, Kolodge, Rock, Wilkinson, and Mayor Hallback

Councilors Absent: Langley, Maki

AGENDA

MOTION: Councilor Kolodge moved and Councilor Bjerkness seconded the motion to approve the June 30, 2015 Special Meeting agenda. The motion carried unanimously (5-0).

CAHA GAMBLING PERMIT

MOTION: Councilor Rock moved and Councilor Bjerkness seconded the motion to approve **RESOLUTION NO. 15-54, A RESOLUTION APPROVING OFF-SITE GAMBLING FOR THE CLOQUET AMATEUR HOCKEY ASSOCIATION FOR PULL TABS AT THE NORTHEASTERN SALOON & GRILLE**. The motion carried unanimously (5-0).

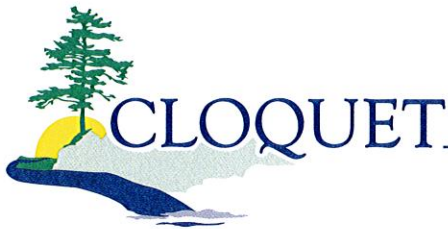
WHEREAS, The City of Cloquet received an application from the Cloquet Amateur Hockey Association, 1102 Olympic Drive, to conduct off-site gambling for pull tab sales for events on July 3-4, 2015 and July 10-11, 2015, at the Northeastern Saloon & Grille, 115 St. Louis Avenue.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City Council has reviewed the application of Cloquet Amateur Hockey Association, 1102 Olympic Drive, to conduct off-site gambling for pull tab sales for events on July 3-4, 2015 and 10-11, 2015, at the Northeastern Saloon & Grille, 115 St. Louis Avenue and has no objection to the Minnesota Gambling Control Board's issuance of such permit.

BE IT FURTHER RESOLVED, That the Cloquet City Council hereby waives the normally required thirty day waiting period for the issuance of said permit.

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

Brian Fritsinger, City Administrator



ADMINISTRATIVE OFFICES

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

REQUEST FOR COUNCIL ACTION

To: Mayor and City Council
From: Brian Fritsinger, City Administrator
Date: July 2, 2015



ITEM DESCRIPTION: Approval of Rivdogg, LLC. On-Sale Liquor License

Proposed Action

Staff recommends the City Council move to approve the On-Sale Intoxicating Liquor License for Rivdogg, LLC, 207 Avenue C, consistent with the diagram submitted and the Sunday On-Sale Intoxicating Liquor License subject to receipt of a qualifying restaurant license from the State of Minnesota, criminal background check, and final inspection of the premise by the City Building Official.

Background/Overview

The City has received an application from Douglas Smith, 5201 Oneida Street, Duluth, seeking to obtain a new On-Sale Intoxicating Liquor and Sunday On-Sale Intoxicating Liquor License at 207 Avenue C. The applicant is in the process of obtaining a building permit to renovate the space into a restaurant.

Mr. Smith has entered into a Lease Agreement with the owner of the building.

- On-Sale Intoxicating Liquor – The applicant has submitted all of the necessary materials. A criminal background check is currently underway. The applicant is seeking to license the area as identified on the attached floor plan. The sale of alcohol is limited to the floor plan area.
- Sunday On-Sale Intoxicating Liquor – The applicant is applying for a Sunday On-Sale License. Under City Code and Mn. Statute, an establishment must be licensed as a qualifying restaurant in order to be open for alcohol sales on Sunday. At the time of this submittal, the applicant has not yet obtained a Restaurant License, but has applied for a Medium Establishment License. The applicant will be required to provide proof of such license to the City before the Sunday On-Sale License will be issued.

Upon approval of the On-Sale Intoxicating Liquor License, the license will be categorized as a Restaurant On-Sale Intoxicating Liquor License. Both licenses would have an expiration date of June 30, 2016.

Request for Council Action
Rivdogg, LLC. On-Sale Liquor License
July 2, 2015

Policy Objectives

Approval of On-Sale Intoxicating Liquor Licenses are required under Chapter 6 of the City Code and Mn. Statutes 340A.404 under State law. As a statutory city of the third class, the City is limited to a maximum of twelve (12) licenses. However, in 1987, the City held a special election which resulted in the authorization of one (1) additional license.

Under this same section of law, the State also provides certain exclusions from license limits. Restaurants are one of the excluded categories. In other words, a license issued as a Restaurant does not count towards the City's total of thirteen (13) licenses. As noted above, this license shall then be categorized as a Restaurant On-Sale, thus not impacting the remaining number of On-Sale licenses.

Financial Impacts

The City's fee schedule requires each license holder to pay set fees for each license. The total fees received by the City for alcohol licenses are required to be consistent with the level of service to administer and enforce local liquor laws. The applicant has paid all fees which are required by the City.

Advisory Committee/Commission Action

None.

Supporting Documentation Attached

- Application



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division (AGED)
 444 Cedar Street, Suite 222, St. Paul, MN 55101-5133
 Telephone 651-201-7507 Fax 651-297-5259 TTY 651-282-6555

Certification of an On Sale Liquor License, 3.2% Liquor license, or Sunday Liquor License

Cities and Counties: You are required by law to complete and sign this form to certify the issuance of the following liquor license types:

- 1) City issued on sale intoxicating and Sunday liquor licenses
- 2) City and County issued 3.2% on and off sale malt liquor licenses

Name of City or County Issuing Liquor License Carlton License Period From: 8-1-15 To: 6/30/16

Circle One: New License License Transfer _____ Suspension _____ Revocation _____ Cancel _____
(former licensee name) (Give dates)

License type: (circle all that apply) On Sale Intoxicating Sunday Liquor 3.2% On sale _____ 3.2% Off Sale _____

Fee(s): On Sale License fee: \$ _____ Sunday License fee: \$ _____ 3.2% On Sale fee: \$ _____ 3.2% Off Sale fee: \$ _____

Licensee Name: Rivdog LLC DOB _____ Social Security # _____
(corporation, partnership, LLC, or Individual)

Business Trade Name Avenue C Business Address 207 Ave C City Cloquet

Zip Code 55720 County Carlton Business Phone 218 348-3163 Home Phone _____

Home Address _____ City Duluth Licensee's MN Tax ID # 408 7019
(To Apply call 651-296-6181)

Licensee's Federal Tax ID # 47-2801280
(To apply call IRS 800-829-4933)

If above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Douglas E. Smith
 Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home Address Duluth, MN

(Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home Address _____

Partner/Officer Name (First Middle Last) _____ DOB _____ Social Security # _____ Home Address _____

Intoxicating liquor licensees must attach a certificate of Liquor Liability Insurance to this form. The insurance certificate must contain all of the following:

- 1) Show the exact licensee name (corporation, partnership, LLC, etc) and business address as shown on the license.
- 2) Cover completely the license period set by the local city or county licensing authority as shown on the license.

Circle One: (Yes No) During the past year has a summons been issued to the licensee under the Civil Liquor Liability Law?

Workers Compensation Insurance is also required by all licensees: Please complete the following:

Workers Compensation Insurance Company Name: SFM Policy # 492682.201

I Certify that this license(s) has been approved in an official meeting by the governing body of the city or county.
 City Clerk or County Auditor Signature _____ Date _____
(title)

On Sale Intoxicating liquor licensees must also purchase a \$20 Retailer Buyers Card. To obtain the application for the Buyers Card, please call 651-201-7504, or visit our website at www.dps.state.mn.us.



CITY ADMINISTRATOR'S OFFICE

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

CITY OF CLOQUET, MN
APPLICATION FOR ON SALE INTOXICATING LIQUOR LICENSE

Application: New Renewal

On Sale Intoxicating Liquor License Category:

Restaurant Club, or congressionally chartered veterans organization Exclusive Liquor Store Hotel

APPLICANT INFORMATION:

Name: Douglas Eugene Smith
First Full Middle Name Last

Applicant Current Address: 207 Ave C

City, State, Zip: Cloquet, MN 55720 / Duluth, MN 55804

Home Phone Work Phone Cell Phone

Duluth@greenmill.com
E-Mail Address

Date of Birth: _____ Place of Birth: Ottumwa, Iowa

Licensee Name: Rivdog LLC
(Business, Partnership, Corporation, LLC, Individual)

Social Security #: _____

Trade Name or DBA: Avenue C

Licensed Location Address: 207 Ave C.

Business Phone: _____

BUSINESS INFORMATION:

Business Name: Avenue C

Address of Business: 207 Ave. C.

Mailing Address (if different from above): _____

Phone No.: _____ Alternate Number: _____

Manager of Business: Doug Smith

BUSINESS OWNERSHIP INFORMATION:

Type of Ownership: Sole Proprietorship Partnership Limited Liability Corporation (LLC) Corporation (Inc)

If the above named licensee is a corporation, partnership, or LLC, complete the following for each partner/officer:

Partner/Officer Name: Douglas Eugene Smith
First Middle Last

Home Address: _____

City, State, Zip: Duluth, MN 55804

Date of Birth Social Security No.

Partner/Officer Name: _____
First Middle Last

Home Address: _____

City, State, Zip: _____

Date of Birth Social Security No.

Are you the owner or one of the owners of the business stated in this application? Yes No

If yes, how long have you been in the business at this location? _____

If you are not the business owner, please list business owner information:

Name: _____
(First) (Full Middle) (Last)

Address: _____

Home Phone Work Phone Cell Phone

The property at which I am requesting a license for, I Own Rent Lease Other: _____

(If you rent or lease the premises, you must attach a copy of your fully executed rental or lease agreement)

If you are not the property owner, please list property owner information:

Name: Zachery Orlan Wehr
(First) (Full Middle) (Last)

Address: 207 Ave C
CLOQUET, MN 55720

Home Phone _____ Work Phone _____ Cell Phone _____

Property/Business Information:

Intoxicating liquor licenses will only be issued to establishments which are properly zoned and/or meet those zoning requirements for such location as may be required by the City.

For Zoning Verification, contact the Cloquet Zoning Department at (218) 879-2507 prior to submitting your application to obtain a "Certificate of Zoning Compliance."

You must indicate the exact legal description of the premises to be licensed, with a plot plan of the area showing dimensions, locations of buildings, street access, parking facilities and the locations of and distances to the nearest church building and schools.

The license application must include a complete description of the compact and contiguous area in which the licensee will conduct business, including a description of physically connected attachments to the main structure such as patios, decks, or pavilions.

If the description covers a building with more than one story or room which are used for business purposes other than those permitted to be in combination with the license, then the description must specify the floor and the space to which the license will apply.

Property Zoning District: C-1

Property Parcel ID Number: 06-045-3620

Property Complete Legal Description: Lots 1-5 & 9-12 BLK 20
CITY OF CLOQUET ORIGINAL PLAT

Is there more than one story to building? Yes No

If yes, please describe: 2 STORY BRICK

Does business have inside access to another business establishment? No

If yes, please describe: _____

Will licensed area include any outdoor attachment such as a patio or deck? Yes No
If yes, is area fenced in? Yes No

(Please describe in detail and attach drawing) _____

How many off-street parking spaces are to be provided exclusively for your customers? 50

Days of Operation: Mon - Sunday

Hours of Operation: 11-10 S-TH 11-1 Fri Sat

Give a complete description of business activities to be conducted on the premises: serve food + drinks

Will live entertainment and/or dancing be provided? Yes No

2 A.M. LIQUOR LICENSE Will applicant be applying for 2 A.M. Sales? Yes No

SUNDAY SALES Will applicant be applying for Sunday Liquor? Yes No

To be completed if applying for Sunday Sales:

Minnesota Statute 340A.504, Subd. 3. Intoxicating liquor; Sunday sales; on-sale.

A restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons and which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 10:00 a.m. on Sundays and 2:00 a.m. on Mondays.

For restaurant or hotel, what is the seating capacity for guests at one time? 130

(Must meet provisions of the Uniform Fire Code for a formal occupancy rating or other similar documentation and square footage to arrive at the proper seating capacity. Please contact our Building Official at 879-2507 with any questions.)

(For a hotel, seating must be 30 guests at one time and must meet provisions of the Uniform Fire Code for a formal occupancy rating or other similar documentation and square footage to arrive at the proper seating capacity. Please contact our Building Official at 879-2507 with any questions.)

Are meals regularly prepared on the premises and served at tables to the general public? Yes No

Square footage of total dining area: 2500 sq Ft

Principal part of the business will be food: Yes No

Estimated percentage of gross sales for: Food 65 Liquor 35

If a Restaurant, please provide copy of Restaurant License from the Minnesota Department of Health.
License Type: Small Establishment Medium Establishment Large Establishment

Submit a floor plan of the dining room(s), showing dimensions and indicating the number of persons intended to be served in each of such rooms.

SEND FUTURE APPLICATION RENEWALS TO:

- Applicant's Residence Address
- Business Address

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

A2.0
SHEET NO.

FULL SCALE

DATE: APRIL 21, 2015
DRAWN: EML
CHECKED: WBS
PROJECT: 1468

REVISIONS:

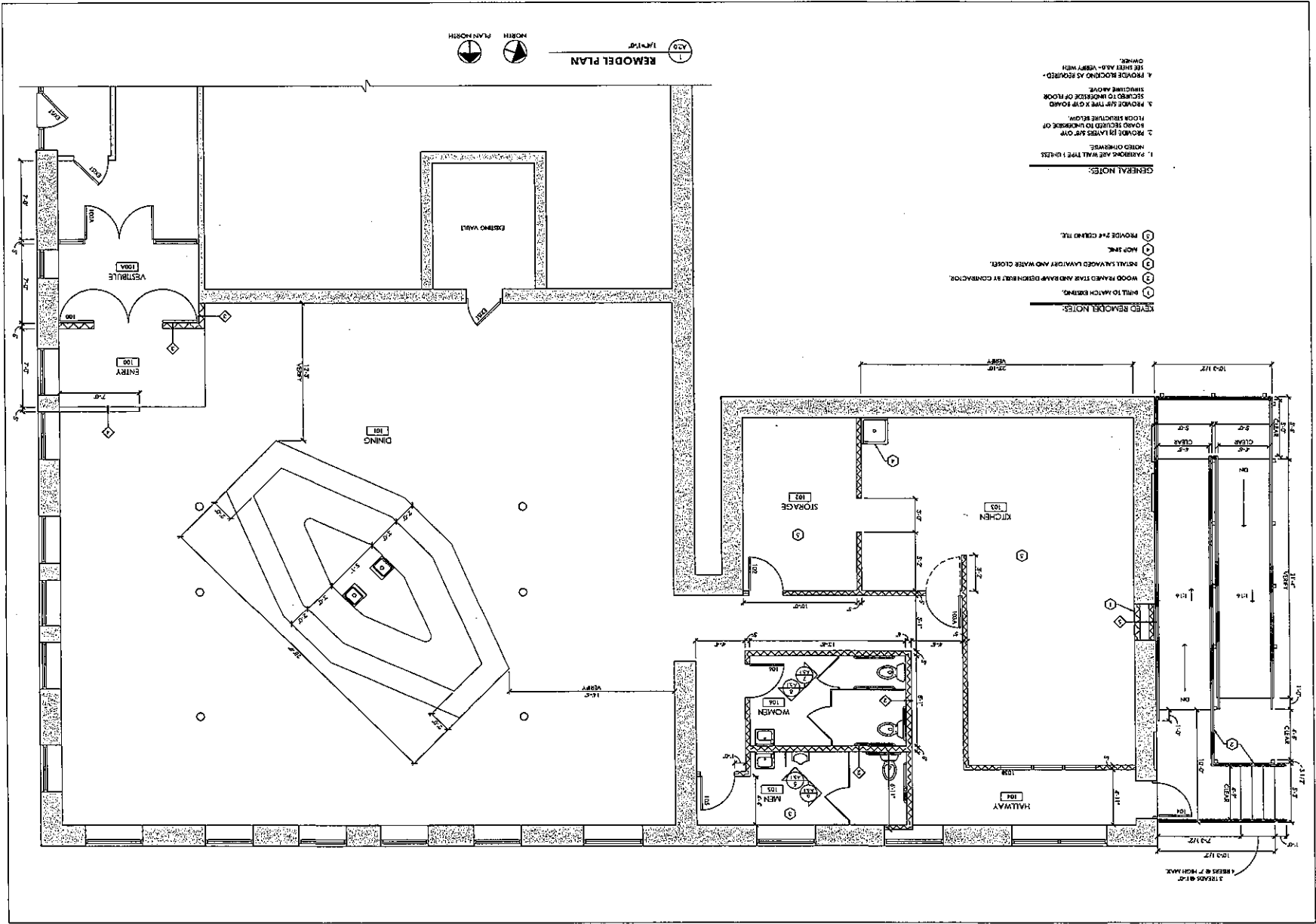
REMODEL PLAN

PROJECT: AVENUE C
287 AVENUE C
PLAZA BUILDING
CLOQUET, MN 55720
OWNER: FINCH & COMPANY
CLOQUET, MN 55720
ELECTRICAL: NIN 55720

CONSULTANTS:

LICENSE NO: 16136
DATE: APRIL 21, 2015
WILLIAM SCARZO
W.S. Scarzo

SCARZO ARCHITECTS, LTD.
1975 SOUTH MAIN
DULUTH, MINNESOTA 55812
TEL: 763.272.2335
FAX: 763.272.2335




- GENERAL NOTES:**
1. FURNISH AREAS WITH 1 UNIT.
 2. REMOVE EXISTING CORE FLOOR FINISH TO UNDESLAND OF FLOOR STRUCTURE BELOW.
 3. PROVIDE AIR TIGHT GAP FLOOR FINISH ABOVE.
 4. PROVIDE BLOCKING AS REQUIRED. SEE SHEET A4.0 - VERRY WITH OWNER.
- KEYED REMODEL NOTES:**
- 1. PART TO MATCH EXISTING.
 - 2. WOOD FANDED TRIM AND BAYBOL DESIGNED BY CONTRACTOR.
 - 3. METAL FANVAYED LAVATORY AND WATER CLOSET.
 - 4. NEW TRIM.
 - 5. PROVIDE 2" x 6" CONCRETE TIE.



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: June 30, 2015

ITEM DESCRIPTION: Parks Maintenance Person Appointments

Proposed Action

Staff recommends that the City Council move to approve the one year probationary appointments of Andrew Chalberg and Karin Stedman to the position of Parks Maintenance Person in the Public Works Department. Mr. Chalberg's effective date is July 8, 2015 and Ms. Stedman's effective date is yet to be determined.

Background/Overview

This past May, the City Council authorized the hiring process of a Parks Maintenance Person position. This position was a new position created as a result of City Council goals/priorities. Subsequently, our current incumbent resigned his position with the City, thus two openings were available.

In May/June, the City completed all of its due diligence required and posted the position vacancies as required under the AFSCME labor agreement. No members of the AFSCME unit posted for the position. The City then advertised publicly, received applications, and conducted interviews with several qualified candidates.

Through this interview process, the City identified Mr. Chalberg and Ms. Stedman as top candidates, both whom have accepted the City's preliminary offer of employment subject to City Council approval. Mr. Chalberg currently is working with the City as a summer seasonal temporary employee.

Policy Objectives

The Department currently is responsible for the maintenance of all parks and functions with two people. The parks maintenance duties are shared with the five members of the street department. Keeping a fully staffed department is consistent with the service level directives of the City Council.

The City Council is the hiring authority for the City as determined by City Code and State law. The City Council must act to appoint this individual to complete the hiring process.

Financial/Budget/Grant Considerations

These positions are currently fully funded as part of the adopted 2015 operating budget. Wages and benefits for the position are budgeted at approximately \$50,000.

Advisory Committee/Commission Action

An interview panel has recommended Mr. Chalberg and Ms. Stedman as the top candidates.

Supporting Documentation Attached


- None.



ADMINISTRATIVE OFFICES

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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: June 12, 2015

ITEM DESCRIPTION: Peter Johnson Promotion to Engineering Tech II

Proposed Action

Staff recommends that the City Council move to approve the promotion of Peter Johnson from Engineering Tech III to Engineering Tech II effective June 1, 2015.

Background/Overview

The Engineering Department of the City of Cloquet currently consists of four (4) different positions. These include the City Engineer, Assistant City Engineer, Engineering Technician III and Engineering Technician II.

Mr. Johnson was hired by the City in 2006 as an Engineering Technician III and has remained in this entry level position since his hire. With nine (9) years experience with the City Mr. Johnson is now frequently asked to perform the duties of the Tech II position on a regular basis due to the quality of his skills and performance. As part of his most recent annual performance evaluation the City Engineer has recommended that Mr. Johnson be promoted to the Tech II position. Prior to the hire of Mr. Johnson the City had two Tech II positions.

Policy Objectives

The City Council is the hiring authority for the City as determined by City Code and State law. The City Council must act to promote this individual to complete the process. The promotion is allowed as part of the AFSCME union labor agreement.

Financial/Budget/Grant Considerations

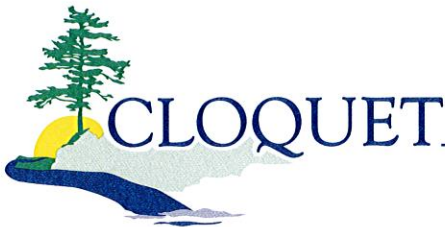
This promotion will require a budget adjustment and will be planned for inclusion in the 2016 operating budget. The difference in pay at Step 9 of the City's adopted pay plan is approximately \$3,300.

Advisory Committee/Commission Action

- None.

Supporting Documentation Attached


- None.



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: James R. Prusak, Director of Public Works
Reviewed by: Brian Fritsinger, City Administrator 
Date: June 18, 2015

ITEM DESCRIPTION: Temporary Access Easement with the Minnesota Department of Natural Resources (DNR) at Cloquet's Lake Superior Waterline Pump Station #2.

Proposed Action

Staff recommends the City Council move to adopt **RESOLUTION 15-53, APPROVING A TEMPORARY ACCESS AGREEMENT WITH THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES AT CLOQUET PUMP STATION #2.**

Background/Overview

Over the past few years, the City Engineer's Office has been meeting and working with the MN Department of Natural Resources (DNR), MPCA, City of Duluth and Army Corps of Engineers regarding an erosion control and stream restoration project along Knowlton Creek, which runs alongside Cloquet's Lake Superior Waterline Pump Station #2 in Duluth. The goal of this project is to stabilize soil erosion that has been taking place for years in this area. This erosion has resulted in large amounts of sediment being deposited into Knowlton Creek and ultimately into the St. Louis River Estuary. To accomplish some of the work in the area, the DNR is requesting approval of a Temporary Access Agreement to cross property owned by the City of Cloquet at Pump Station #2 located at 8505 Knowlton Creek Boulevard. Additional information on the project is included in the attached Phase 2 Scope of Work. Also enclosed is a copy of the proposed Access Agreement.

The City Engineer is very familiar with this project and has been anxious to see work get started as the erosion taking place also has the potential of jeopardizing the stability of the Cloquet Waterline as it runs up and over this steep area of West Duluth's Spirit Mountain.

Policy Objectives

To work cooperatively with other public agencies to complete identified improvements of mutual interest and benefit.

Financial Impacts

All improvements completed under this project will be paid for with funds provided by the State and Federal governments and there will be no expenses to the City of Cloquet.

Request For Council Action
DNR Access Agreement
June 18, 2015
Page 2 of 2

Advisory Committee/Commission Action

N/A

Supporting Documentation Attached

- Knowlton Creek Phase 2 Scope of Work
- Proposed Temporary Access Agreement
- Resolution No. 15-53

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

RESOLUTION NO. 15-53

**RESOLUTION 15-53, APPROVING TEMPORARY ACCESS AGREEMENT BETWEEN
THE CITY OF CLOQUET AND THE MINNESOTA DEPARTMENT OF NATURAL
RESOURCES AT CLOQUET'S LAKE SUPERIOR WATERLINE PUMP STATION #2.**

WHEREAS, Funds have been provided by both the State and Federal governments to complete an Erosion Stabilization and Stream Restoration Project along Knowlton Creek in West Duluth, and;

WHEREAS, The Minnesota Department of Natural Resources (DNR) has requested permission from the City of Cloquet to cross city property at its Pump Station #2 located at 8505 Knowlton Creek Boulevard in West Duluth to complete some of the improvements in the area; and

WHEREAS, The City Engineer is familiar with this project and recommends approval of this request.

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

That the City hereby approves the granting of a Temporary Access Agreement to the DNR, subject to a review and approval of the final proposed Agreement by the City Attorney.

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

Dave Hallback, Mayor

ATTEST:

Brian Fritsinger, City Administrator

Minnesota Department of Natural Resources

TEMPORARY ACCESS AGREEMENT

THIS RIGHT OF TEMPORARY ACCESS (“Agreement”) is granted by the City of Cloquet, Minnesota (“City”) to the State of Minnesota, acting by and through its Commissioner of the Department of Natural Resources (“DNR”).

WHEREAS, the City is the owner of the subject Property (“Property”) described as follows:

That part of the Southeast Quarter of the Southeast Quarter of Southwest Quarter (SE1/4 of SE1/4-SW1/4) and the West Half of Southwest Quarter of Southwest Quarter of Southeast Quarter (W1/2 of SW1/4 of SW1/4-SE1/4) lying North of Knowlton Boulevard, in Section Fourteen (14), Township Forty-nine (49) North, Range Fifteen (15) West of the Fourth Principal Meridian in Saint Louis County, Minnesota, comprising 7.55 acres, more or less, as shown on the map attached to this Agreement as Exhibit A; and

WHEREAS, the DNR desires to use the Property to stage and access certain portions of the Knowlton Creek for stream restoration purposes (the “Project”). A description of the Project is attached to this Agreement as Exhibit B; and

WHEREAS, the City and the DNR desire to set forth the terms and conditions under which DNR can use the Property for its Project;

NOW THEREFORE, the City does hereby grant to the DNR a temporary and non-exclusive limited right of access to enter in and upon the Property under the following terms and conditions.

1. Temporary Right of Access: For the term of this Agreement effective as of the last date of the execution of this Agreement (the “Effective Date”), the DNR and its agents and contractors shall have the right to access the Property for ingress and egress for its equipment including backhoes, dump trucks, dozers, and other heavy equipment as well as temporary equipment used for the Project. Except as provided for in the previous sentence, the permission granted herein shall not be transferrable or assignable to any third party. This Temporary Right of Access is granted and accepted on an “as is” basis with respect to the Property and its condition.

2. Term and Termination. The Term of this Agreement shall be for a period of Thirty-six (36) months from the last date of signature below. This Agreement may be terminated by either party for any reason or no reason upon the giving of fifteen (15) business days' written notice to the other party as hereinafter provided.
3. Fees. No payment shall be made by the DNR to the City for this Agreement.
4. Use and Maintenance.
 - a) The DNR may construct one or more temporary access roads within the Property for ingress and egress to Knowlton Creek. Such roads shall be constructed in a manner which minimizes long term damage to the Property. The DNR shall maintain all temporary roads (grading and snow removal) within the Property at DNR's expense. All temporary roads shall be deemed to be part of the Property.
 - b) The DNR may remove trees and shrubs on the Property to access Knowlton Creek, shift the stream channel, and for use in the Toe Wood/Root Wad structures along portions of the stream.
 - c) All equipment shall arrive on and leave the Property in a clean condition, free of mud, dirt and debris, to reduce the likelihood of spreading invasive species. No fueling or oiling of equipment shall occur on the Property without a Spill Prevention Control and Containment Plan approved by the City's Director of Public Works or designee.
 - d) The DNR shall perform all activities on the Property in a good and workmanlike manner. The DNR shall take necessary precautions for the safety of its equipment and employees, and to the general public as a result of DNR's use of the Property.
 - e) Notwithstanding the foregoing, nothing in this Agreement shall render the DNR or its agents and contractors responsible for any pre-existing contamination, pollution or other hazardous materials on the Property.
5. Costs. The DNR shall be responsible for the costs of all labor, service, equipment and materials used in the Project and shall not permit any lien or encumbrance upon the Property resulting from its activities on the Property.
6. Surrender of Possession, Restoration. Upon the expiration or other termination of this Agreement, the DNR's rights to use the property shall cease and DNR shall promptly surrender

the same to the City. The DNR agrees that upon termination of this Agreement, it will have restored or repaired, to the reasonable satisfaction of the City's Director of Public Works, all modifications of, or damage to, or destruction of the property which were altered, damaged or destroyed by the DNR under the authority of this Agreement or as a result of the DNR's exercise of its rights under this Agreement, or in the alternative, to pay the City for the cost of returning them to said condition unless waived by the City's Director of Public Works in writing.

7. Liability. Each party is responsible for its own acts and omissions and the results thereof to the extent authorized by law and shall not be responsible for the acts and omissions of the other party and the results thereof. The DNR's liability shall be governed by the provisions of the Minnesota Tort Claims Act (Minnesota Statutes, section 3.736) and other applicable law. The liability of the City is limited to the extent set forth in Minnesota Statutes Chapter 466.

8. Compliance. All activities conducted by the DNR pursuant to this Agreement shall be in compliance with all applicable state and federal laws and regulations.

9. Taxes. The City shall pay when due all taxes and assessments levied against the Property or the improvements thereon.

10. Notice. Proper service of any notice under this Agreement shall consist of the depositing in the United States mail with proper postage and addressed to the following:

City: City of Cloquet
Director of Public Works
1307 Cloquet Avenue
Cloquet, Minnesota 55720-1657

DNR: State of Minnesota
Department of Natural Resources
500 Lafayette Road
St. Paul, Minnesota 55155-4045

10. Amendments; Counterparts. This Agreement may be amended only by a written instrument signed by both parties. This Agreement may be executed in counterparts, each of which shall be deemed to be original and all of which together shall constitute the binding and

enforceable agreement of the parties hereto.

11. Entire Agreement. This Agreement, including any Exhibits, constitutes the entire agreement between parties and supersedes all prior written and oral agreements and negotiations between the parties relating to the subject matter.

CITY OF CLOQUET

**STATE OF MINNESOTA
DEPARTMENT OF NATURAL
RESOURCES**

By: _____
Its Mayor

By: Krista Lewis

Attest:

Title: Asst. Director, Land & Minerals

By: _____
City Clerk
Date:

Date: 5/8/15

Countersigned:

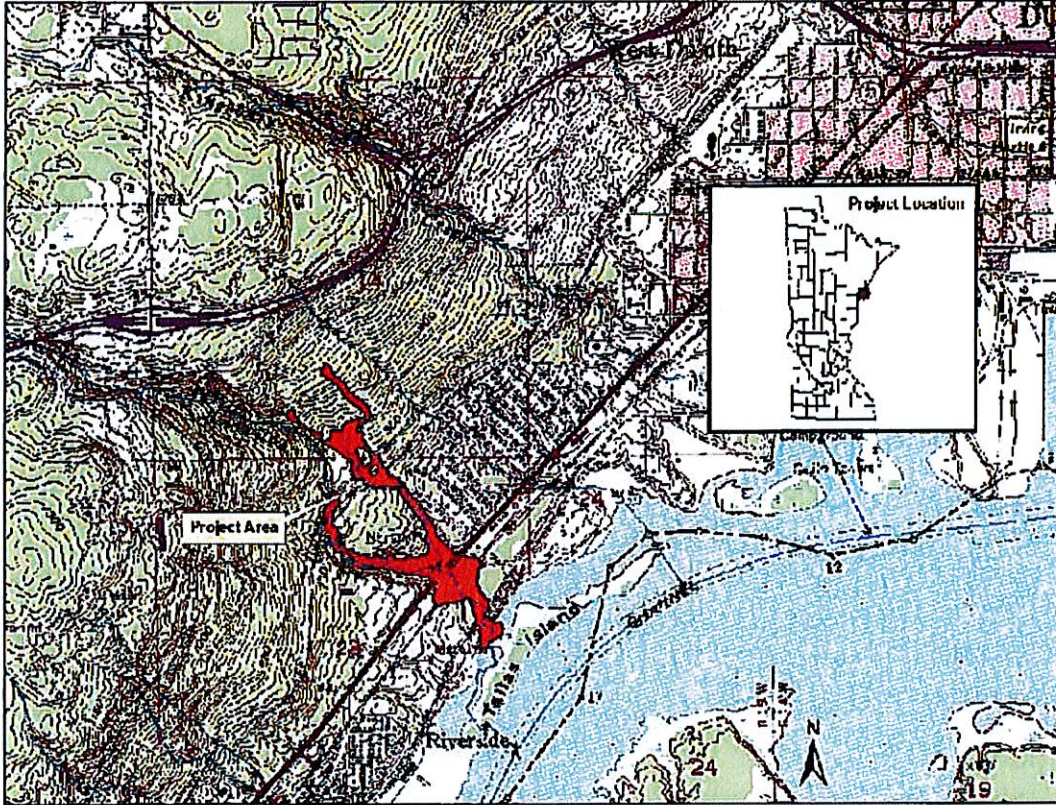
City Auditor

Approved as to form:

City Attorney

Exhibit A

Knowlton Creek Stream Restoration Project Area



Source: USGS 1:24,000 Quadrange Map: West Duluth, MN.

FIGURE 1. Project Location

2022.11.14.00

Exhibit A



Exhibit B

The Minnesota Department of Natural Resources plans to restore and enhance habitat for trout and associated cold-water organisms, using Natural Channel Design techniques, to stabilize approximately 6,491 linear feet of Knowlton Creek and its tributaries in Duluth, Minnesota.

Snowmaking operations associated with Spirit Mountain Recreation Area add approximately 20% more water to the main stem of Knowlton Creek than the watershed's yearly moisture budget. Additionally, snowmelt and rain events run off more quickly to Knowlton Creek as a result of the semi-impervious surfaces of the ski runs. The other primary impairment identified is associated with the City of Cloquet Drinking Water Pumping Station, which pushes water up and over the hill. Backflow during power outages had been released directly into the tributary of Knowlton Creek. These situations resulted in substantial degradation of the stream channel and movement of sediment to the St. Louis River estuary. The flood events of the last decade, highlighted by the 500-year flood that occurred in 2012, resulted in the major failure of a derelict railroad causeway and severe bank erosion on both the main stem and tributary to Knowlton Creek.

Specific components of the Knowlton Creek natural channel stream restoration project include: (1) adjusting the stream channel size; (2) establishing a hydraulic connection between the channel and floodplain; (3) stabilizing streambanks; and (4) enhancing vegetation in the riparian corridor.

SCOPE OF WORK

Knowlton Creek Phase II Geomorphic Stream Restoration Design Phase II, Duluth, MN

1. INTRODUCTION

The Scope of Work (SOW) outlines tasks and activities to be performed under IDIQ Contract W912QR-14-D-0005. For this Task Order, the Minnesota Pollution Control Agency (MNPCA) is serving as a cost-sharing non-Federal sponsor. The purpose of this SOW is to complete the stream restoration design for Knowlton Creek near Duluth, Minnesota. Major tasks/phases associated with this stream restoration design include coordination and design memorandum.

2. AUTHORITY

The authority for the project can be found under Section 401 of the Water Resources Development Act (WRDA) of 1990 (PL 101-640), as amended.

3. BACKGROUND

Knowlton Creek is a tributary to the St. Louis River, which drains to Lake Superior through Duluth-Superior Harbor in Duluth, MN. The 2.5 square mile watershed is primarily forested. The stream channel has been degraded by anthropogenic uses within the watershed including a ski area, an interstate highway, and a water pumping station. The degradation has deposited a large amount of sediment into the St. Louis River Area of Concern (AOC), filling in a shallow sheltered bay behind Tallus Island. A portion of the deposited sediment was dredged as part of the compensatory mitigation for the St. Louis River Interlake – Duluth Tar Superfund project.

Historic air photos of the St. Louis Estuary indicate that the onset of sediment deposition at the mouth of Knowlton Creek coincided with the opening of Spirit Mountain Ski Area and the establishment of a pumping station on the Cloquet Water Line. Snowmaking activities associated with the ski area have increased snowpack on the hill by approximately 20% above natural conditions, which greatly increases the flow and associated erosion and stream channel degradation during spring snowmelt/ runoff. Impairments have also been documented in association with heavy rain events. In addition, maintenance activities associated with the ski slopes have created dirt roads and trails on the ski slopes that are the source of the sediment to the system. The City of Cloquet water pumping station, which is located on a tributary to Knowlton Creek, infrequently discharges substantial amounts of water directly to the tributary due to power outages. This occurs roughly twice a year and has resulted in the severe degradation of the stream channel and sedimentation to the St. Louis River AOC.

A significant (<1% probability of exceedance) flood occurred in the watershed in June 2012. This flood caused the failure of an already deteriorating railroad grade at the upstream end of the proposed restoration area on the mainstem of Knowlton Creek. Large amounts of sediment were moved downstream, throughout the proposed restoration area.

In November of 2013, Stantec provided the Corps and the MNDNR with a 30% conceptual restoration design. This design takes into account the post-flood conditions of the watershed, as well as additional sources of sediment and watershed degradation above the Cloquet pump station.

4. PROJECT AREA

The general project area for the geomorphic assessment and stream restoration design shall consist of the Knowlton Creek watershed and the reference reach watershed. Specific project limits for Knowlton Creek and the reference reach are described below (see also Figure 1).

- For the Knowlton Creek main stem, the project limits shall extend from the confluence with the St. Louis Estuary upstream to the crossing at Interstate 35 and consist of the stream channel and the adjacent floodplain/stream corridor.
- For the Knowlton Creek tributary, the project limits shall extend from the confluence with the Knowlton Creek main stem upstream to the location of the City of Cloquet water pumping station and consist of the stream channel and the adjacent floodplain/stream corridor.

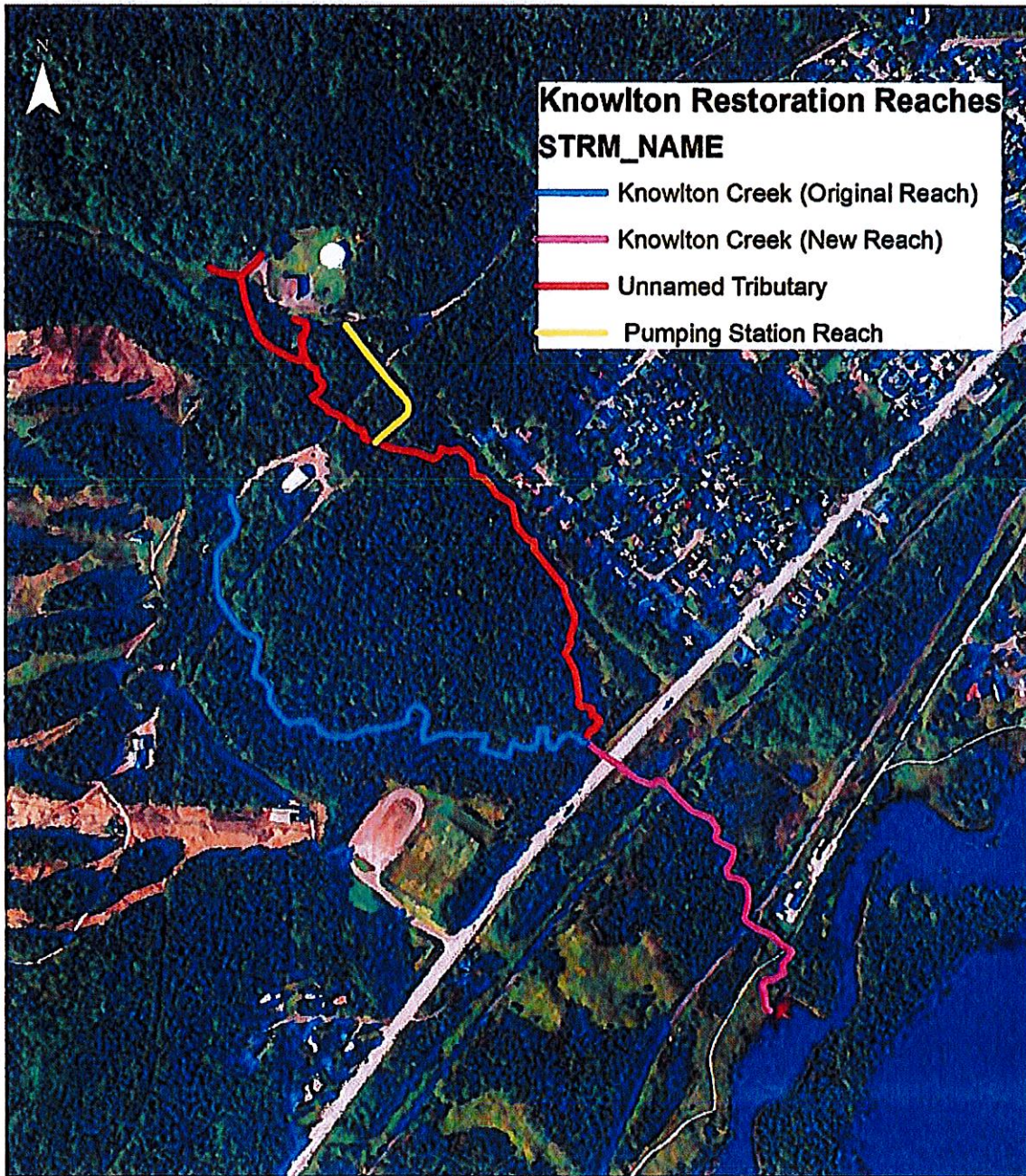


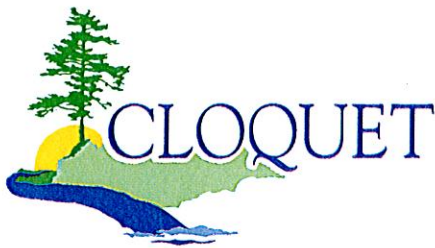
Figure 1: Reaches in the Knowlton Creek watershed included in the project area for this contract.

5. DESCRIPTION OF TASKS

5.1 Coordination & Admin

5.1.1 Meetings


The contractor shall be available for an on-site kickoff meeting, an on-site meeting at the preliminary design stage to discuss permitting issues, and monthly conference calls for progress updates, non-



DEPARTMENT OF PUBLIC WORKS

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

REQUEST FOR COUNCIL ACTION

To: City Council
From: Caleb Peterson, Assistant Engineer
Reviewed By: Brian Fritsinger, City Administrator 
Date: June 29, 2015

ITEM DESCRIPTION: Authorization to Bid 2015 Hilltop Park Improvements.

Proposed Action

Staff recommends that the City Council **MOVE TO ADOPT RESOLUTION 15-55, APPROVING THE SOLICITATION OF BIDS FOR PLANNED 2015 PARK IMPROVEMENTS AT HILLTOP PARK.**

Background/Overview

As part of the 2015 Capital Improvement Program (CIP) and approved budget, plans have been prepared to develop a fourth athletic field and disc golf course at Hilltop Park.

Since it's redevelopment to an athletic field complex, Hilltop has become one of City's more heavily used parks. With a surge in the popularity of soccer and use of fields by the FDLTCC football program, finding a place to play or practice during certain times of year has become challenging. Unfortunately with increased use, maintaining a quality playing surface on the three fields has become challenge. Given the increase in demand and rising maintenance costs, staff and the Park Commission have identified development of a fourth field as a priority improvement. Once developed, it will be critical for City to negotiate use agreements with the College, Association, and School District in order to ensure future maintenance costs are born by the major users.

The development of a disc golf course in Cloquet was an improvement which received a large number of requests during the Park Master Plan development. At the time Hilltop was identified as one location to be considered. A low impact, low cost improvement, Staff estimates the total cost for disc golf improvements at approximately \$15,000.

The attached site plan illustrates the Park's final layout. Major contract work to be completed as part the bid includes clearing, grading, turf restoration, and access path construction. The budget also allows for extension of the existing irrigation system into the new field. It is anticipated that this design and construction will take place under a separate contract.

Request for Council Action
2015 Hilltop Park Improvements
June 29, 2015

Policy Objectives

The proposed project improvements are in alignment with the Individual Park Plan concept identified in the January 2014 adopted Parks Master Plan. Also identified in the plan were a number of park policies of which the following apply in this case:

- 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.

Financial/Budget/Grant Considerations

\$150,000 was included as part of the 2015 budget for said improvements. The estimated cost for this contract is \$80,000. Future costs include approximately \$15,000 for disc gold tees, signs and goals as well as \$30,000 for irrigation.

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

Advisory Committee/Commission Action

N/A.

Supporting Documents Attached

Project Site Plan.

Resolution No. 15-55.

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

RESOLUTION NO. 15-55

**RESOLUTION APPROVING THE SOLICITATION OF BIDS FOR PLANNED
2015 PARK IMPROVEMENTS AT HILLTOP PARK.**

WHEREAS, The Park Commission has identified the development of a fourth athletic field at Hilltop Park as a priority improvement; and

WHEREAS, Heavy use of the existing fields has caused maintenance challenges for the City; and

WHEREAS, The Park Master Plan identifies field and disc golf development as future uses at Hilltop Park; and

WHEREAS, \$150,000 was included as part of the 2015 budget to complete said improvements; 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 JULY, 2015.**

ATTEST:

Dave Hallback, Mayor

Brian Fritsinger, City Administrator

C.S.A.H. 3
(14TH STREET)

Hole 2

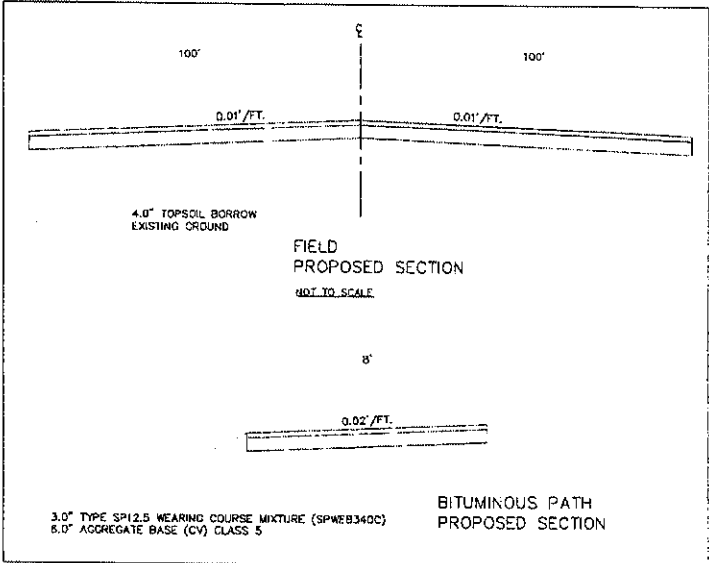
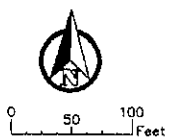
Hole 3

Hole 5

Hole 6

Hole 7

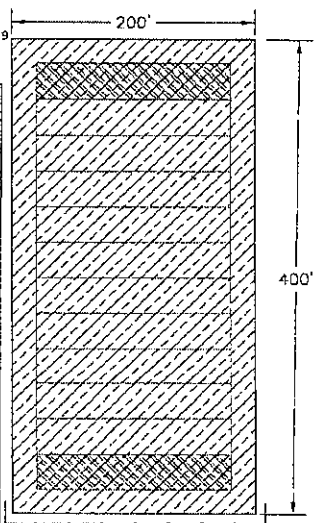
Hole 9



2020

2010

2010



- CLEARING & GRUBBING
- 4" TOPSOIL
- SEED: MIXTURE 25-151 @ 120 LBS/ACRE
- FERTILIZER: TYPE 4 @ 150 LBS/ACRE
- MULCH: TYPE 3 @ 2 TONS/ACRE
- DISC ANCHORING

12" CS PIPE CULVERT

SILT FENCE

6' BITUMINOUS PATH

CERTIFIED BY *[Signature]* REG. NO. 47900 JULY 2015
 PRINTED NAME GALE PETERSON PROFESSIONAL ENGINEER
 CITY PROJECT NO. 1055 HILLTOP FIELD/DISC. GOLF

SITE PLAN
 SHEET X of X SHEETS