

Regular Meeting.

Roll Call.

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

Councilors Absent: Kolodge.

**AGENDA**

**MOTION:** Councilor Wilkinson moved and Councilor Langley seconded the motion to approve the April 21, 2015 agenda. The motion carried unanimously (6-0).

**MINUTES**

**MOTION:** Councilor Bjerkness moved and Councilor Maki seconded the motion to approve the minutes of the work session and regular meeting of April 7, 2015. The motion carried unanimously (6-0).

**CONSENT AGENDA**

**MOTION:** Councilor Bjerkness moved and Councilor Langley seconded the motion to adopt the consent agenda of April 21, 2015 approving the necessary motions and resolutions. The motion carried unanimously (6-0).

- a. Resolution No. 15-33, Authorizing the Payment of Bills.

**PUBLIC HEARINGS**

**Sunset Drive Proposed Improvement**

Mayor Hallback announced that now is the time and place for the public hearing on the proposed extension of sanitary sewer and water service on Sunset Drive from the Cloquet North Road, north approximately 500 feet. City Engineer Prusak provided an overview of the project and issues identified as part of the feasibility study for the proposed project. The City Council had a number of questions regarding the project and the need to connect to sanitary sewer. Paul Drechsler and the father of Delores Lindstrom spoke in favor of the project. With no further comments from the public, the hearing was closed.

**MOTION:** Councilor Bjerkness moved and Councilor Wilkinson seconded the motion to adopt amended **RESOLUTION NO. 15-35, RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS FOR THE PROPOSED UTILITY EXTENSIONS ALONG SUNSET DRIVE.** The motion carried unanimously (6-0).

**WHEREAS,** The City has been asked to consider the extension of publicly owned water and sewer utilities north up Sunset Drive; and

**WHEREAS,** City Code requires connection to the sanitary sewer system for all newly developed properties and properties with failing septic systems within 400 feet of an existing sewer line; and

**WHEREAS,** Long private service lines result in problems for private landowners and the City over time; 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 21<sup>st</sup> 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.

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.

### **PRESENTATIONS**

There were none.

### **UTILITY MAINTENANCE PERSON APPOINTMENT**

**MOTION:** Councilor Langley moved and Councilor Rock seconded the motion to approve the one year probationary appointment of Mike Austin to the position of Utility Maintenance Person in the Public Works Department effective upon a start date yet to be determined. The motion carried unanimously (6-0).

### **ENGINEERING INTERN APPOINTMENTS**

**MOTION:** Councilor Maki moved and Councilor Langley seconded the motion to approve the appointments of Jeffrey Dyer and Aaron Gustafson as temporary summer engineering interns. The motion carried unanimously (6-0).

### **MEDIACOM FRANCHISE AGREEMENT EXTENSION**

**MOTION:** Councilor Maki moved and Councilor Bjerkness seconded the motion to adopt **RESOLUTION NO. 15-34, RESOLUTION FOR PURPOSE OF EXTENDING THE EXPIRATION DATE OF THE CABLE TELEVISION FRANCHISE AGREEMENT AUTHORIZING THE OPERATION OF A CABLE TELEVISION SYSTEM.** The motion carried unanimously (6-0).

**WHEREAS,** the City of Cloquet, Minnesota (“Grantor”) has an agreement with Mediacom Minnesota LLC (“Mediacom”), for the operation and construction of a cable television system within the City of Cloquet (the “Agreement”); and

**WHEREAS,** in accordance with the Cable Act, the Grantor responded to Mediacom’s request and commenced the process for renewal of the Agreement known as an informal process; and

**WHEREAS,** Grantor and Mediacom are involved in the informal franchise renewal process to renew the Agreement for another term; and

**WHEREAS,** it is understood by the Grantor and Mediacom that the franchise renewal process is not complete and it is in the interest of the Grantor and Mediacom to have a written acknowledgment of the extension of the term of the Agreement and to allow sufficient time to complete negotiations with the understanding that neither the Grantor nor Mediacom prejudice or waive any of their rights afforded them under the Cable Act to either an informal renewal process or formal renewal process should negotiations fail; and

**WHEREAS,** Mediacom and Grantor agree on execution of an extension of the expiration date of the Agreement to August 31, 2015:

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

1. That the Agreement between the Grantor and Mediacom remains in full force and effect notwithstanding the current expiration date.
2. That the term of the Agreement is hereby extended to expire August 31, 2015 unless Grantor and Mediacom execute and adopt a new cable television franchise agreement prior to that date, in which case the present Agreement shall expire and terminate upon the effective date of such new franchise agreement.

3. Except as modified by Paragraph 2, all other terms, conditions, provisions and requirements of the Agreement shall remain in force and effect. Neither party waives any right it may have pursuant to the Agreement or pursuant to state or federal law.
4. Mediacom shall acknowledge its acceptance by signing a copy of this Resolution once adopted where indicated below.
5. This Resolution shall be effective upon its passage and written approval by Mediacom in accordance with law.

#### **YEAR END TRANSFERS FOR 2014**

**MOTION:** Councilor Rock moved and Councilor Maki seconded the motion to authorize the transfers for 2014 as detailed in the April 3, 2015 staff report. The motion carried unanimously (6-0).

#### **PUBLIC COMMENTS**

There were none.

#### **COUNCIL COMMENTS/UPDATES**

City Administrator Fritsinger reminded the Council and public of the City Council Retreat scheduled for this coming Friday and Saturday.

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

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Brian Fritsinger, City Administrator