

Council Chambers, Cloquet, Minnesota
7:00 o'clock P.M. May 19, 2015

Regular Meeting.

Roll Call.

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

Councilors Absent: None.

AGENDA

MOTION: Councilor Bjerkness moved and Councilor Rock seconded the motion to approve the May 19, 2015 agenda as amended. 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 May 5, 2015. The motion carried unanimously (7-0).

CONSENT AGENDA

MOTION: Councilor Kolodge moved and Councilor Maki seconded the motion to adopt the consent agenda of May 19, 2015 approving the necessary motions and resolutions. The motion carried unanimously (7-0).

- a. Resolution No. 15-41, Authorizing the Payment of Bills.
- b. Renewal of 2015-2016 Liquor and Related Business Licenses.
- c. Resolution No. 15-42, Adopting and Confirming Special Assessments for Delinquent Utilities

PUBLIC HEARINGS

There were none.

PRESENTATIONS

- a. Police Officers Oath of Office (Erica Johnson, Laci Silgjord, Nathan Cook and Kyle Voltzke)
- b. Introduction of Police Commanders Carey Ferrell and Derek Randall

VACATION LEAVE POLICY AMENDMENTS

MOTION: Councilor Bjerkness moved and Councilor Wilkinson seconded the motion to approve the amended Vacation Leave Policy dated 05/19/15. The motion carried unanimously (7-0).

EMPLOYEE PERFORMANCE EVALUTION POLICY AMENDMENTS

MOTION: Councilor Bjerkness moved and Councilor Langley seconded the motion to approve the amended Employee Performance Evaluation Policy dated 05/19/15. The motion carried unanimously (7-0).

COMPREHENSIVE PLAN AMENDMENT (LAND USE PLAN) AND REZONING

MOTION: Councilor Rock moved and Councilor Kolodge seconded the motion to adopt **RESOLUTION NO. 15-43, 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, David Chmielewski 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 May 12, 2015 at which time Zoning Case / Development Review No. 15-05 was heard and discussed; and

WHEREAS, the property of the proposed Comprehensive Plan Amendment (Land Use Plan) is located at 2005 14th Street and is legally described as follows:

That portion of the Northeast Quarter of Northeast Quarter of Section Thirty – five (35) and Northwest Quarter of Northwest Quarter of Section Thirty – six (36), containing 4 acres, more or less, described as follows: Beginning at common corner of Section 25, 26 and 35 and 36, Township Forty – nine (49), Range Seventeen (17), thence West on Section line between Section 26 and 35, a distance of 300 feet; thence South on line parallel to Section line between Sections 35 and 36, a distance of 370 feet; thence East on line parallel to the North line of said Sections 35 and 36 to West line of State Aid Highway No. 4 (Old Carlton Road) as now located, constructed and traveled; thence Northeasterly along West line of Right-of-way of State Aid Highway No. 4, as now located, constructed and traveled to an intersection with the North line of Section 36, Township 49, Range 17, thence West on Section line between Section 25 and 36, Township 49, Range 17 to point of beginning, except parcels taken by the State of Minnesota for trunk highway purposes identified as Parcel 25A S.P. 0980 (390) 901 and Parcel 225A S.P. 0980 (35=390) 901.

AND EXCEPT that part of said NE ¼ of NE ¼ of Section Thirty-five (35), and NW ¼ of NW ¼, Section Thirty-six (36), Township Forty-nine (49), Range Seventeen (17), shown as Parcel 325A on the plat designed as Minnesota Department of Transportation Right-of-Way Plat Numbered 09-4 on file and of record in the office of the County Recorder in and for Carlton County, Minnesota.

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”.

COMPREHENSIVE PLAN AMENDMENT AND REZONING

MOTION: Councilor Rock moved and Councilor Langley seconded the motion to adopt **ORDINANCE NO. 443A, 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 motion carried unanimously (7-0).

The City Council 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:

That portion of the Northeast Quarter of Northeast Quarter of Section Thirty – five (35) and Northwest Quarter of Northwest Quarter of Section Thirty – six (36), containing 4 acres, more or less, described as follows: Beginning at common corner of Section 25, 26 and 35 and 36, Township Forty – nine (49), Range Seventeen (17), thence West on Section line between Section 26 and

35, a distance of 300 feet; thence South on line parallel to Section line between Sections 35 and 36, a distance of 370 feet; thence East on line parallel to the North line of said Sections 35 and 36 to West line of State Aid Highway No. 4 (Old Carlton Road) as now located, constructed and traveled; thence Northeasterly along West line of Right-of-way of State Aid Highway No. 4, as now located, constructed and traveled to an intersection with the North line of Section 36, Township 49, Range 17, thence West on Section line between Section 25 and 36, Township 49, Range 17 to point of beginning, except parcels taken by the State of Minnesota for trunk highway purposes identified as Parcel 25A S.P. 0980 (390) 901 and Parcel 225A S.P. 0980 (35=390) 901.

AND EXCEPT that part of said NE ¼ of NE ¼ of Section Thirty-five (35), and NW ¼ of NW ¼, Section Thirty-six (36), Township Forty-nine (49), Range Seventeen (17), shown as Parcel 325A on the plat designed as Minnesota Department of Transportation Right-of-Way Plat Numbered 09-4 on file and of record in the office of the County Recorder in and for Carlton County, Minnesota.

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

HONGISTO IMPLEMENT (Ablewings, LLC.) LOAN PARTICIPATION

MOTION: Councilor Kolodge moved and Councilor Maki seconded the motion to approve the City buying a loan participation in the Entrepreneur Fund's loan to Hongisto Implement (Ablewings, LLC) in the amount of \$25,555 for a 15 year loan at a rate of 6.0%. The motion carried unanimously (7-0).

2015 SANITARY SEWER LINING PROJECT BID AUTHORIZATION

MOTION: Councilor Langley moved and Councilor Kolodge seconded the motion to approve the advertisement of bids to complete a sewer lining project during 2015 at an estimated amount of \$250,000. The motion carried unanimously (7-0).

2015 MISCELLANEOUS BITUMINOUS PAVING WORK BID AUTHORIZATION

MOTION: Councilor Langley moved and Councilor Rock seconded the motion to approve the advertisement of bids to complete bituminous paving work during 2015 at an estimated amount of \$650,000. The motion carried unanimously (7-0).

2015 PINEHURST AND SUNNYSIDE PARKS IMPROVEMENT BID AWARD

MOTION: Councilor Bjerkness moved and Councilor Kolodge seconded the motion to adopt **RESOLUTION NO. 15-44, A RESOLUTION AWARDED BID FOR 2015 PARK IMPROVEMENTS AT PINEHURST AND SUNNYSIDE PARKS.** The motion carried unanimously (7-0).

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 of Cloquet advertised and received the following bids for the project:

<u>Bidder</u>	<u>Bid Amount</u>
Ulland Brothers, Inc.	\$1,297,600.00
Kiminski Paving	\$1,175,172.78
Hibbing Excavating	\$1,342,934.65

AND WHEREAS, The apparent low bid from Kiminski Paving was found to meet the minimum bid requirements.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the bid from Kiminski Paving in the amount of \$1,175,172.78 is hereby accepted.

VFW BEER SALES AT VETERANS PARK ON JULY 4, 2015

MOTION: Councilor Bjerkness moved and Councilor Wilkinson seconded the motion to approve the VFW sale of beer through its existing on-sale liquor license within Veteran's Park on July 4, 2015 as part of the community event and celebration with the following conditions as identified by the Council:

- Sales of alcohol be limited to beer.
- Sales be limited to July 4, 2015 from 12:00 noon until the conclusion of the fireworks around 10:30 p.m.
- The licensee provide the City with a certificate of insurance providing proof of liability and dram shop insurance in the amount of \$500,000 per claim and \$1,000,000 in aggregate covering the facility/event. The City will be added as a named insured on such certificate.
- Consumption be allowed throughout the park with no formal fencing or security fencing required.
- The licensee provide sufficient security personnel at all times when alcohol is sold and two police officers be on site as required under City Code from 5:00 p.m. to 11:30 p.m. with the VFW being responsible for the cost of only one officer.

The motion carried unanimously (7-0).

VFW BINGO EVENT

MOTION: Councilor Rock moved and Councilor Maki seconded the motion to approve **RESOLUTION NO. 15-45, A RESOLUTION APPROVING EXEMPT PERMIT FOR THE VFW POST 3979 TO CONDUCT OFF-SITE BINGO AT VETERAN'S PARK**. The motion carried unanimously (7-0).

WHEREAS, The City of Cloquet received an application from the VFW Post 3979, 210 Arch Street, for an Exempt Permit to conduct a bingo event off-site on July 4, 2015 at Veteran's Park.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLOQUET, MINNESOTA, That the City Council has reviewed the application of the VFW Post 3979, 210 Arch Street, for an Exempt Permit to conduct a bingo event off-site on July 4, 2015 at Veteran's Park, 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.

VFW BLOCK PARTY REQUEST

MOTION: Councilor Rock moved and Councilor Wilkinson seconded the motion to allow for the sale of beer through the VFW's existing on-sale liquor license in its parking lot; the closure of Vine Street for pedestrian safety; and, to hold a dance/live music on July 3, 2015 subject to the following conditions:

- Notification of event to neighbors.
- Fencing of the area that the event is to be held.
- Organizers meet with police department prior to the event to discuss, identify, and address any other issues of concern.
- The VFW provide security and as required under City Code, pay for two police officers to be present during the event.
- The hours of the event be limited to 2:00 p.m. to midnight.
- The provision of a certificate of insurance providing evidence of coverage within the parking lot and further identifying the City as an additional insured.

The motion carried unanimously (7-0).

PUBLIC COMMENTS

There were none.

COUNCIL COMMENTS/UPDATES

Councilor Bjerkness reminded the Council of the upcoming LMC annual conference being held in Duluth and encouraged members of the City Council to attend. Mayor Hallback congratulated the Wilderness Junior Hockey team on their recent Roberts Cup Championship.

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

Brian Fritsinger, City Administrator