

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