

**MINUTES**  
**Eveleth City Council Meeting**  
**7:00 p.m., August 18, 2009**  
**Council Chambers, City Hall, Eveleth, MN**

**A. CALL TO ORDER**

Mayor Matos called the meeting to order at 7:00 p.m.

**B. ROLL CALL**

Councilor Liz Kuoppala, Present  
Councilor Thomas Kallevig, Present  
Councilor Joseph Koivunen, Present  
Councilor Brian Hoag, Present  
Mayor Bill Matos, Present

Also present: City Attorney Mitch Brunfelt; Deputy Clerk Stephanie Friebe; Chief of Police Brian Lillis; Director of Public Works Michael Wiskow; Eric Fallstrom, Benchmark Engineering

**C. APPROVAL OF MINUTES**

*Motion by Councilor Kallevig, second by Councilor Koivunen to approve Minutes of City Council Meeting held August 4, 2009 and Minutes of City Council Workshop held August 4, 2009. Ayes – All.*

**D. APPROVAL OF AGENDA**

*Motion by Councilor Kuoppala, second by Councilor Kallevig to approve Agenda with following changes:*

- J12. Request of Airblower at Wastewater Treatment Plant (Addition)*
- J13. Funding Request from Westside Civic League for Improvements to West Eveleth Skating Rink Shack (Addition)*
  
- J5. (Council approval contingent upon approval of payroll records) Consider Approving Pay Request No. 1 to Odland Protective Coatings in the Amount of \$283,456.25 for the Rehabilitation of 2,000,000 Gallon Ground Storage Reservoir Project*

*Ayes – All.*

**E. APPOINTMENTS/PRESENTATIONS**

None.

## F. VISITOR/PUBLIC PRESENTATIONS

Bill Aho, resident at 1080 Industrial Park Drive and EDA Board member, addressed the Council regarding Consent Agenda Item No. G3. "Approve Technical Assistance Agreement with Greater Minnesota Housing Fund for Old Town Eveleth Neighborhood Revitalization Project." Aho said he represented himself and that he personally felt slighted that the project has not been presented to the Eveleth EDA. He referred to the Council's resolution of 1994 establishing the EDA Board and opined that the EDA should have been consulted. Aho noted that the Technical Assistance Agreement would authorize a \$7,500.00 payment to the Eveleth Horizons for services provided by a community organizer and an additional \$2,500.00 to the Eveleth Horizons for planning. Aho questioned, "Who is Eveleth Horizons and how did they get placed into this document?" Aho also asked, "Who is carrying this issue before the Council?"

Councilor Kuoppala informed Aho that she along with Councilor Hoag are representing the City. The City/Clerk Administrator had prepared the grant application.

Aho requested the Council hold off on approving the Technical Assistance Agreement and take into consideration the Eveleth EDA Board.

## G. CONSENT AGENDA

1. Approval of Payroll - July 16-31, 2009 in the amount of \$120,749.65
2. Council Liaison Reappointments to Personnel and Public Safety Committees
3. Approve Technical Assistance Agreement with Greater Minnesota Housing Fund for Old Town Eveleth Neighborhood Revitalization Project (**Item removed from the Consent Agenda**)

Councilor Koivunen asked that Item No. 3 be removed from the Consent Agenda.

*Motion by Councilor Kallevig, second by Councilor Koivunen to approve Consent Agenda Items Nos. G1 and G2 and move G3 to regular Agenda Item No. J14. Ayes – All.*

## H. PUBLIC HEARINGS

None.

## I. UNFINISHED BUSINESS

1. **Consider Accepting Quotations for Boulevard and Park Tree Planting**

*Motion by Councilor Kallevig, second by Councilor Koivunen to accept quotations for boulevard and park tree planting from Range Landscape, Virginia, Minnesota in the amount of \$9,925.00 contingent upon submittal of a Certificate of Insurance. Ayes – All.*

## **J. NEW BUSINESS**

### **1. Update on Joint Cable Commission from Station Manager Greg Schulzetenberg**

Greg Schulzetenberg, the new cable station manager for the Joint Cable Commission, addressed the Council. Schulzetenberg introduced himself as having a strong background in broadcast. He said the public access Channel 12 has reopened its station at the Eveleth-Gilbert High School and plans to launch next week. Schulzetenberg said it will take some time to get the programming running. Part of running a stable station will include taping and broadcasting of City Council Meetings from Eveleth and Gilbert with a program guide that viewers can refer to for airing times. Schulzetenberg acknowledged problems with the station over the last 8 to 10 months.

Les Crawford, audience member, asked about local programming. Schulzetenberg indicated a station is set up at the high school with equipment the public use for taping, editing and running programs.

### **2. Review of Michael Jacobsen, Economy Ready Mix, Amendment to Settlement Agreement and Release**

*Discussion on the Amendment to Settlement Agreement between the City of Eveleth and Michael Jacobsen has been recorded verbatim as follows:*

Brunfelt: Under the current document, what the City is operating under is an Amendment to the Settlement Agreement. Under that Amendment document the City granted Mr. Jacobsen an extension until August 30<sup>th</sup> of this year to access the property to remove his belongings and his buildings from the property. His ability to access the property expires on August 30<sup>th</sup>. Now under this Amendment document it does say that if Jacobsen were to satisfy certain conditions that the City Council may consider whether or not to grant him one additional short extension of time beyond August 30<sup>th</sup>, and if you were to do that any such extension would also have to be reduced to basically another amendment document. As I pointed out at the last meeting, there were two conditions. One was to clean up the blighted nature of the property. Mr. Jacobsen did do that. The Chief had provided us with a presentation on that. There was another condition that was to pay in full any and all delinquent utility bills before May 31<sup>st</sup> of 2009. My understanding is that he did not comply with that condition. To this date I don't know if those delinquent utilities have been paid. Stephanie, any?

Friebe: Not that I'm aware of.

Brunfelt: So not that we're aware of. As far as we know, the current knowledge that we have or the current information that we have is that there is delinquent utility bills still

outstanding. So that condition hasn't been met. So that's what's before the Council tonight.

Matos: Councilor Kuoppala, you were supposed to meet with Mike.

Kuoppala: Yep. We met. So, one of the things I would like to propose to the Council is Mr. Jacobsen would like to, correct me if I'm wrong, but would like to operate a business out of there, use the office space, maybe eventually hire some people. The concrete plant might take a long time to get going, but there's several other things. So, I just think we need all the small businesses we can get. One of the resources I suggested to him was Jen Pontinen who has met with us and works over at the Virginia campus for small business development. I think what I would propose is that we extend this agreement for a little while, while he works out with her a development agreement kind of a business plan and then works with us a development agreement on how that space would used. I think none of us want it to be the blighted property it was, but I think he's made significant progress. I was just kind of excited about some of the other ways he would hope to employ some people and I think it might fit the current zoning and everything else. I'd like to give him a chance to see if he can get that business going.

Matos: I think that he had more than enough chances. He cleaned up the blighted materials, but he cleaned it up at a cost. He thumbed his nose at the City Council for three to four years.

Jacobsen: That's not true. I was never cited for blight. No one ever mentioned blight until you cancelled my lease, and apparently it was because you claimed I was behind. Blight was never mentioned. I have never been cited for blight. I invite you to find something. I was never told about it . . . nothing.

Brunfelt: Just for the record, Mayor, I want to correct one thing for the record. Actually in the documents that my office served on Mr. Jacobsen to evict him from the property, when we went through that whole process, those documents actually cited the poor, depilated, blighted condition of the property as one of the reasons for why the City Council had ultimately decided not to renew his license and why he was forced from the property.

Matos: Thank you.

Brunfelt: And for the record . . .

Jacobsen: I've never been notified.

Brunfelt: There was official legal documentation that was actually served on Mr. Jacobsen. I cited that as a basis for what the City was doing.

Matos: I'm as much for small businesses as anyone sitting on this Council. You know, I would like to see that property being utilized and I have a person who is interested in . . .

Jacobsen: I want to utilize it. I mean I have plenty that's going on, and I need my shop and my offices and my buildings back.

Matos: Yah. I would like to see a strict development agreement of what you are going to do.

Jacobsen: Well, that would part of what Liz's friend would work together.

Matos: I think if we give you an extension it's going to be not too long of an extension.

Jacobsen: If we get an extension until. . .

Matos: This is getting to the point of ridiculous.

Jacobsen: Well, I mean we had voted on this a long time ago to take care of this and you are the one that's dragging it out. And, you've got Mitch helping you. It's just going backwards. I mean, we could have had this taken care of last spring.

Matos: We've expended some City funds by unanimous vote to evict you out of that property.

Jacobsen: Well, we've talked about that, and I spent some money too. I've got things I want to do.

Koivunen: We don't want to keep going like this. Liz Kuoppala said that, you know, she'd be interested. I'd be interested in giving you a little extra time, too. But, the point being is I'd like this water bill to be taken care of or whatever it is before. I mean, this has to be taken care of and then we give him an extension for his other business that he's coming in.

Jacobsen: Well, I've been trying to meet with . . .

Matos: He turns a deaf ear on everything. That's the problem.

Jacobsen: Jackie hasn't been here in a couple of weeks. I've been trying to find out what the water bill is for.

Koivunen: She'll be here Monday.

Jacobsen: You know, she was going to send it to me.

Matos: It's very simple to pay your water bill.

Jacobsen: I think it's paid. Simple as that.

Matos: Our records indicate otherwise.

Jacobsen: Well, I asked her to show that to me so that I could look it up and she has never . . .

Matos: You also claimed that your lease was paid.

Jacobsen: My lease was paid.

Matos: It was never paid.

Jacobsen: My lease was paid.

Matos: No it wasn't paid.

Jacobsen: My lease was paid.

Hoag: There's got to be a paper trail.

Matos: Well, sure there's a paper trail.

Koivunen: Jackie will be back on Monday so they can go through all that. And then, just by the next time you meet with us you'll have . . .

Jacobsen: If I owe it, I owe it. I think it's paid. Simple as that. I tried to meet with her about it, and I'm not worried about it.

Matos: I have a person interested in opening a feed store.

Jacobsen: Well, he can . . . I'll tell you what. Maybe he can buy it from the historical society cause that's who I'm going to donate it to. That's the oldest building in Eveleth.

Matos: Who owns the building?

Jacobsen: I do.

Matos: Is it part of the lease?

Jacobsen: I don't know.

Matos: Is that part of our . . .

Brunfelt: Yah. It's connected to the real estate.

Matos: No, you don't own it. We own it.

Jacobsen: I've had quite a few people inquire on it. I could have sold it many times.

Matos: We own the building.

Brunfelt: Just so you know, one thing from a legal standpoint is that, remember now, what the current arrangement is. The City simply granted him an access. He has a right to not use the property. He doesn't have the right to run a business out of that property. All he has right now is the ability to access the property to remove his belongings. Basically what you are talking about here is if you are going to grant him an extension. It's an extension for the purpose of him being able to access the property to remove his stuff. It's not an extension to run a business there. It's not an extension where he's going to be a leaseholder or a squatter on the property. That's all been resolved by a Court of Law. Court of Law has evicted him and nullified any and all rights he claimed in the property. So all you are doing is granting him access to remove his stuff. If that's one or two months, you know, we can reduce that to writing. I would strongly discourage in light of the legal issues and legal entanglements we had with Mr. Jacobsen in the past in trying to evict him from the property and how difficult that was and how much that cost the City. At this point, I would strongly discourage you from entering into any arrangements that even would hint at any sort of a leasehold or license to use the property. If you are going to do anything it would simply be an extension of this grant of access to remove his stuff, and then you can see where things might progress in the next month or two.

Matos: I want that agreement in writing.

Jacobsen: No. We had a meeting in October and we decided that they were going to sell the land. And now you are sitting here . . .

Brunfelt: There was no such decision ever made.

Jacobsen: We can go back to a meeting that you were on the tape saying that, if we had an agreement and pending the . . .

Brunfelt: You know, this is the same kind of stuff that you tried to pull in the lawsuit. It was these twisted tales of . . .

Jacobsen: Mitch, we can go back and look at the tape.

Brunfelt: Don't interrupt me. Don't interrupt me. It was in Court in your deposition all these twisted tales of these fictions that you created. And quite frankly, Mr. Jacobsen, the District Court in Virginia resoundingly rejected all of those past claims that you made and you're here again trying to twist the record around to create situations that don't exist.

Jacobsen: Mitch, if I'm wrong . . .

Brunfelt: Don't put words in my mouth.

Jacobsen: We can go back and look at the tapes.

Brunfelt: Since this whole thing has started, I have made this public record crystal clear as to what the City's rights are and what your situation is on that land.

Jacobsen: When we discussed it this spring you said if we agreed on a price and I was willing to put some money down I could sign a purchase agreement. And I said that's all I ever asked for.

Brunfelt: If I said that . . .

Jacobsen: And that was on the tape this spring pending . . .

Brunfelt: You show me the tape and you show me the record of that. I'd be happy to see it.

Jacobsen: Pending the survey you said. That's all you said.

Kuoppala: So, I'm with Mitch on this one. I don't believe he's ever said that we can definitely, will definitely, sell anything. But, I'd like to make a motion that extends this agreement. That just, again, it doesn't mean that you are leasing the land or anything. It's just that we are not yet going to tear the buildings down or anything. So, extend it . . .

Jacobsen: Extend it until the end of the year? Extend it until we can get a business plan? What do you want to do?

Matos: This agreement has to state that he has rights to access of this building, of this land only. Not that you can go there and open a business.

Kuoppala: Exactly.

Jacobsen: Well, I agree. I understand.

Matos: Access for you to remove your . . .

Brunfelt: Actually what you are going to do, if the Council is going to be inclined to grant the extension, what you can simply do is to extend this access. Pick some later date. And then to authorize staff to draft the document, doing that and authorizing signatures. If that's what the Council is inclined to do. I don't know if you will or not.

Matos: I'm going to vote against this, but I want it written.

Brunfelt: Right.

Hoag: You know what? I don't know if this is a different approach to this because there's a lot of "he said this," "he said that" on both parts. You have to go back and look at this. Give an extension, but why don't we . . . I don't know we have enough committees, but hold on.

Matos: All you have to do is read this.

Hoag: Yah. I know.

Matos: All you have to do is read this.

Kallevig: We all agreed to that, Mayor. We're talking about something else.

Hoag: Yah.

Matos: No. We're talking about basic agreement. This is what you agreed to. This is what you voted "yes" for. This is what you told me in the back room. "Let's get him out of there as fast as we can."

Kallevig: We're not arguing with that basic agreement.

Matos: Yah, you are.

Kallevig: No. We are talking about an extension.

Hoag: Yes.

Matos: You people don't want to put no closure to anything. That's the trouble.

Hoag: No. That's not it.

Matos: It's a repeat, repeat, offense, offense, offense; and you want to stick your head back in the gillnet one more time.

Kallevig: The thing about it is, Mayor, we can't make these decisions based on our personal animosities.

Matos: There's no personal animosity.

Kallevig: We have to do what we think is best for the City. I think myself, I think the EDA is overlooked on everything because there's no Council Member involved in the EDA anymore. I think the EDA should be involved in all of these leases down there and we should get their opinion on all of these leases down there. Not just Mr. Jacobsen. They should be involved with this. I know they have big plans for this Alice Location. And like I say, our personal animosity should have nothing to do with our decision on this. And I think, the City needs to increase the tax base to keep the tax rate down. And,

I'm not saying for Mr. Jacobsen. I'm saying for all these businesses. They should all be treated equally. The EDA should be involved in this. They were overlooked on this other thing and they are overlooked on this. I think the reason is because there's no Council Member involved there anymore. I don't know if Mr. Aho would agree to that, that the EDA should be involved also.

Matos: Bill, as the EDA years ago, did we discuss that Alice Location?

Aho: Absolutely. Extensively.

Matos: And, was there a recommendation on that?

Aho: Well, the recommendation was to clean it up. Basically, kind of level everything and divide it up into lots and sell them and get small businesses into the community. There doesn't exist a place right now where we can place businesses like that. I remember Dan Garner wanting to go in there and we were not ready. You weren't ready. We're still not ready and that was three, four, five years ago.

Matos: We don't stick to the plan.

Aho: Right. We need to get things done, and provide some economic base and value to this community.

Kuoppala: I started talking about a motion before. I think I'm just going to try to finish what I was talking about and then see if there is any support. So, I would suggest that we, pursuant to Number 5 here where we have a chance to extend, you know, with the current agreement. That we are just allowing Mr. Jacobsen onto the property in order to remove his possessions, his things. That we extend that until November 1. That's my motion.

Matos: So, if November 1 comes and goes . . .

Jacobsen: What's going to happen then?

Kuoppala: Well, if I get a second then I would be happy to discuss what my vision for this is.

Jacobsen: Okay.

Matos: We have a motion by Councilor Kuoppala extending the lease to November 1<sup>st</sup> or the agreement to November 1<sup>st</sup>.

Hoag: I second it.

Matos: Second by Councilor Hoag.

Kallevig: Councilor, would he have to pay the utility bill?

Kuoppala: Yes, and that would be some of the additional conditions on this. I think that if we revisit it in October and see if maybe the first meeting in October to see if the utility bill has been paid. And then also during October if you could present to the Council, you know, if you are working on a business development plan for the area that we could kind of be in on what that would look like. So as we approach November 1, we can decide at that point whether or not we are interested in leasing you the land. But, I think it would be good to have all of that kind of conversation stuff kind of figured out. This doesn't let you set up a business at all. It's just for the planning part.

Jacobsen: Yah. I understand that.

Matos: In the meantime, Liz, I hear your motion. So if we had another person who wanted to come in and start a small business in the old feed store building, who had a business plan and who had their ducks in a row, and would bring a business into town. I would assume that parcel of property that would be ours would be fair game.

Kuoppala: Mitch probably knows this better, but I would say that until November 1, if we agree to go with my motion, Mr. Jacobsen still would have a right to go on that property and so we don't sell it.

Brunfelt: No. Frankly with the legal lay of the land out there, I guess no pun intended, what actually would happen if you, hypothetically speaking, if another business came in the City would be free to work with that business. A new separate business completely unrelated to Mr. Jacobsen. The City would be completely free to work with that business to get that business on the property. Because Mr. Jacobsen isn't being given anything here in terms of any right to the property, any leasehold to the property. All he's being provided here is some additional access time to remove his belongings. The City would be free to sell that property to anybody else. They would be free to lease it to somebody if you wanted to. So, this wouldn't hold that up. So, if you do have a business that is interested; if there's a piece of property that they are interested in, you could go ahead and do it.

Matos: We could lease all or part of it?

Brunfelt: You could lease all the real estate out there.

Matos: He doesn't need all of it.

Jacobsen: I might get a second opinion on that, Mitch.

Matos: Well, you are very welcome to do that.

Kallevig: Does this hold true, Mitch, for all the properties down there?

Brunfelt: Well, I think, actually for some of the properties down there you have people who actually have a leasehold interest. Because remember we approved those recent licenses for some of the leaseholders down there. So there are people who actually have leasehold interest down there which, you know, Mr. Jacobsen doesn't have. So there's folks out there who are leaseholders and the City of Eveleth is the landlord.

Kallevig: They aren't leaseholders yet. There are conditions they have to meet before they get the lease. They have to clean up and some other conditions. We set the conditions. I recall the meeting. They don't get the lease unless they meet the conditions.

Brunfelt: No, I think we will have to look at that. I think the leases were approved, but the condition was that if the City ever got the point of maybe selling the lots to them they were going to have to clean up the conditions. Part of the lease document was . . . the lease itself wasn't conditioned on them first cleaning up. Part of the conditions in the lease is that they do have some clean up to have a future . . .

Kallevig: Yah. You are right.

Matos. Thank you, Mitch. We have a motion. A motion and a second. Do we have anymore discussion? Okay. We have a motion by Councilor Kuoppala, supported by Councilor Hoag that the Agreement between the City of Eveleth and Michael Jacobsen be extended until November 1<sup>st</sup> to give him time to get his ducks in a row, and I'm sure we will be visiting this again.

Jacobsen: Oh, I'm sure we will. Good night.

Matos: Any discussion.

Brunfelt: Just in terms of the motion, I think that part of it also was that there needs to be something about him paying that utility bill by October 1<sup>st</sup>. Because at that point, the first meeting, I think Liz, I'm just rearticulating your motion, that at the first meeting in October you would take a look at what exactly the situation is out there and then also sometime in October, the Council is requiring that Mr. Jacobsen come before the Council with some sort of a presentation plan for what he may like to use the property for in the future if he ever . . .

Kuoppala: Yah, and I'd say that presentation could happen at the second meeting in October. You know, the utility bill discussion the first meeting and then the plan, we'd give him a little more time to sort that out.

Matos: It behooves me to why are we including the utility bill in the discussion. Why don't he just pay the bill?

Kuoppala: That's what we are saying. We're saying . . .

Matos: We told him this two, three months ago when he was here to pay the bill. Now we are coming back here again and now we are going to have another meeting to discuss the bill. Pay the bill.

Kallevig: That's what we said. He has to pay the bill. That's part of the motion.

Matos: And here he was pay the bill three months ago. Three months later, pay the bill, Mike. Still not paid. We're going to come here in November and it's going to be, "No, I don't know anything. Nobody told me I owe this." Okay. So, whatever.

Kallevig: Is this extension based on him paying the bill?

Matos: Yes.

Kallevig: So, if he doesn't pay the bill he doesn't get the extension.

Brunfelt: Oh no, no. That's not what . . . the motion that is before the Council is he is granted an extension under this agreement. It's an access extension until October 1<sup>st</sup>, and then basically, I think, is saying that if the Council is even to look at this situation any further, for any reason, that by the first meeting in October he has to pay the utility bill.

Matos: November.

Brunfelt: No, no. The extension is granted until November 1<sup>st</sup>.

Matos: Okay.

Brunfelt: But, what I believe Liz's motion is, and Liz, please correct me if I'm wrong. The motion is to extend this until November 1<sup>st</sup> for access. What Councilor Kuoppala is saying is that if the Council is going to look into anything further involving Mr. Jacobsen that before October 1<sup>st</sup>, he has to pay the utility bill.

Kallevig: I thought she said to get the extension he has to pay the bill.

Kuoppala: No. I'm just saying . . .

Matos: Well, we are passing the extension tonight.

Kallevig: Under the condition he pays his utility bill, I thought.

Matos: Is it contingent upon the utility bill?

Kallevig: That's what I thought it was.

Matos: Better yet if it is.

Kallevig: That's what I thought it was.

Kuoppala: Well I figured that at that first meeting we could revoke the extension if we needed to if the bill isn't paid. So, I just think it's about our ongoing relationship with Mr. Jacobsen. Kind of, you know, what our expectations are and for each of the next few meetings. So, my understanding is the way Mitch . . . but I'd be happy to amend my motion.

Kallevig: Was that your understanding, Brian, too?

Matos: Is this contingent upon the paying of the utility bill?

Kuoppala: No. The motion is not contingent on . . . the motion is to grant the extension until November 1, and part of the requirement is that he will come to us the first meeting in October and demonstrate that the utility bill issue has been settled. The second meeting in October he will come and discuss his plans for the spot and we can discuss at that point whether or not there is any interest in us doing anything about it and then the extension is until November 1.

Matos: So, let's back up to the first meeting. So, if the utility bill isn't paid at the first meeting in October . . .

Kuoppala: Then if you wanted to make a motion at that time, Mayor, to change our agreement I'd be happy to support it. Right now that . . .

Matos: I don't think we have to change our agreement. I think we just have to stop giving him extensions. Alright. We have a motion and a second.

**Motion acted upon as follows:**

*Motion by Councilor Kuoppala, second by Councilor Hoag to grant Michael Jacobsen an extension to remove his possessions from City property formerly leased to Economy Mix until November 1, 2009; and that Mr. Jacobsen pay in full his delinquent utility bill by October 1, 2009; and that Mr. Jacobsen present a business plan for potential use of the land at the second Council Meeting in October 2009. Ayes – Kuoppala, Kallevig, Koivunen, Hoag. Nays – Matos. Motion carried.*

**3. Consider Accepting Grant/Park Avenue Hydrology Study Proposal from Benchmark Engineering, Inc.**

*Motion by Councilor Kallevig, second by Councilor Kuoppala to accept Grant Avenue and Park Avenue Hydrology Study Proposal from Benchmark Engineering, Inc. in the amount of \$5,140.00. Ayes – All.*

**4. Consider Accepting Quotation for Furnishing and Installing Playground Equipment at Northside Park**

Bids were received on August 12, 2009 for furnishing and installing playground equipment at Northside Park as follows:

- Base Bid: One (1) 96” high three-way slide
- Alternate A: One (1) dual beam coaster
- Alternate B: One (1) 8’ diameter merry-go-round
- Alternate C: One (1) Zero G Swing Seat
- Alternate D: One (1) 72” high slope climber
- Alternate E: One (1) 72” high cargo net climber

	Northwoods Rec. Bemidji, MN	Clearwater Rec. Waconia, MN	Webber Rec. Hastings, MN
Base Bid plus Alt. A.	\$23,061.00	19,828.00	\$21,032.29
Base Bid plus Alt. A-B	\$25,561.00	\$24,391.00	\$26,651.55
Base Bid plus Alt. A-C	\$26,235.00	\$24,853.76	\$27,256.98
Base Bid plus Alt. A-D	\$27,988.00	\$26,910.04	No Bid
Base Bid plus Alt. A-E	\$29,716.00	\$28,040.74	No Bid

It was the recommendation of the Park Commission and Director of Public Works to accept the low bidder for the Base Bid plus Alternatives A-E.

*Motion by Councilor Kallevig, second by Councilor Kuoppala to accept bid for furnishing and installing playground equipment at Northside Park for Base Bid plus Alternatives A-E from Clearwater Recreation, Waconia, Minnesota in the amount of \$28,040.74. Ayes – All.*

**5. Consider Approving Pay Request No. 1 to Odland Protective Coatings in the Amount of \$283,456.25 for the Rehabilitation of 2,000,000 Gallon Ground Storage Reservoir Project**

*Motion by Councilor Kuoppala, second by Councilor Koivunen to approve Pay Request No. 1 to Odland Protective Coatings in the Amount of \$283,456.25 for the Rehabilitation of 2,000,000 Gallon Ground Storage Reservoir Project contingent upon approval of payroll records. Ayes – All.*

**6. Consider Resolution Approving Submittal of a Grant Application to the St. Louis County 2008-2010 Recycling and Waste Reduction Grant Program**

*Motion by Councilor Kallevig, second by Councilor Koivunen to adopt Resolution No. 2009-21, “Resolution Approving Submittal of a Grant Application to the St. Louis County 2008-2010 Recycling and Waste Reduction Grant Program.” Ayes – All.*

**7. Consider Approving the Fall 2009 Refuse Collection and Alley Cleanup Schedule**

*Motion by Councilor Kallevig, second by Councilor Kuoppala to approve Fall 2009 Refuse Collection and Alley Cleanup Schedule. Ayes – All.*

The City will accept items for disposal at the City Garage from September 28 to October 23, 2009. The hours will be from Monday to Friday (7:00 a.m. to 3:30 p.m.). Extended hours will be offered from October 5-16, 2009 (7:00 a.m. to 6:00 p.m.). Yard waste will be picked up in alleys on October 19, 2009.

**8. Consider Approving Tobacco License for Eveleth Short Stop, 410 Grant Avenue**

*Motion by Councilor Kuoppala, second by Councilor Kallevig to grant License to Sell Tobacco, Tobacco Products or Tobacco Related Devices to Eveleth Short Stop dba C & B Warehouse Distributing, Inc., 410 Grant Avenue, Eveleth, MN for the period of August 19, 2009 to December 31, 2009. Ayes – All.*

**9. Request from Les Crawford to Change Date for Use of City Auditorium Parking Lot from August 22, 2009 to August 29, 2009**

Les Crawford, Bonsai Tea and EvTAP Volunteer, informed the Council that the previously planned Luau set for August 22<sup>nd</sup> had to be cancelled as the band was not able to attend the event. The group has decided to change the theme to focus on restoring the Auditorium building and requested permission to use the Auditorium parking lot on August 29, 2009. Local bands will perform. The City will provide a portable toilet. The sand pile as previously requested will not be needed. Crawford indicated the group is looking for someone to carry the liability insurance for the event as the Eveleth Heritage Committee has not expressed interest now that the event has changed.

*Motion by Councilor Hoag, second by Councilor Kallevig to authorize Les Crawford, EvTAP Volunteer, to change the date for use of the City Auditorium Parking from August 22, 2009 to August 29, 2009. Ayes – All.*

**10. Request for Authorization to Purchase New Ambulance**

*Motion by Councilor Kallevig, second by Councilor Kuoppala to authorize purchase of new ambulance through the NCEMS Cooperative or competitive bidding process in the alternative. Ayes – All.*

**11. Eveleth Neighborhood Revitalization Meeting Scheduled for August 20, 2009**

Councilor Kuoppala announced the Eveleth Neighbor Revitalization Meeting scheduled for Thursday, August 20, 2009 at the Monroe Park from 5:00 to 8:00 p.m. This informational meeting is for the project which features residents living in the Old Town

Eveleth Neighborhood area. The meeting will be held at the Hippodrome in the event of rain.

## **12. Request of Airblower at Wastewater Treatment Plant**

Director Wiskow indicated that an air blower at the Wastewater Treatment Plant failed approximately three weeks ago. The cost to repair the blower is \$4,900 while a new blower is \$6,395.

*Motion by Councilor Koivunen, second by Councilor Kallevig authorizing purchase of new air blower for the Wastewater Treatment Plant in the amount of \$6,395.00 plus tax and freight. Ayes – All.*

## **13. Funding Request from Westside Civic League for Improvements to West Eveleth Skating Rink Shack**

Mayor Matos referred to a letter from Steve Anderson, Secretary for the Westside Civic League. The League is in the process of securing funds to re-side the warming shack at the West Eveleth skating rink. The League has offered \$500.00 plus labor for the project. Leonidas is willing to donate funds contingent on the City of Eveleth donating for the improvements.

*Motion by Councilor Kallevig, second by Councilor Hoag authorizing donation of \$600.00 to the Westside Civic League for improvements and re-siding of the warming shack at the West Eveleth skating rink. Ayes – All.*

## **14. Approve Technical Assistance Agreement with Greater Minnesota Housing Fund for Old Town Eveleth Neighborhood Revitalization Project**

This item was moved from the Consent Agenda.

*Motion by Councilor Kuoppala, second by Councilor Kallevig to table Agenda Item J14. Ayes – All.*

## **K. COUNCIL PRESENTATIONS/COMMITTEE REPORTS**

None.

## **L. ADMINISTRATIVE PRESENTATIONS**

Public Works Director: Director Wiskow acknowledged complaints from about 15 customers regarding either a chlorine or swampy smell to their water. Wiskow said the City is working with the Engineer to optimize the new water plant. The City will be running additional testing and fine tuning. Citizens experiencing problems with their water are encouraged to contact the Public Works Department.

City Engineer: Eric Fallstrom, Benchmark Engineering, gave an update on the Ground Storage Reservoir Project. The project is about 90 percent complete.

**M. ADJOURN**

The meeting adjourned at 8:31 p.m.

Attest:

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Bill Matos, Mayor

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Stephanie A. Friebe  
Deputy Clerk

Approved: September 15, 2009

Published: September 30, 2009