

MINUTES
Eveleth City Council Meeting
7:00 p.m., October 4, 2011
Council Chambers, City Hall, Eveleth, MN

A. CALL TO ORDER

Called the meeting to order at 6:58 p.m.

B. ROLL CALL

Councilor Beth Peterson, Present
Councilor Joseph Koivunen, Present
Councilor Brian Hoag, Absent
Councilor Bradley Hadrava, Present
Mayor Robert Vlasisavljevich, Present

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

C. APPROVAL OF MINUTES

Motion by Councilor Peterson, second by Councilor Koivunen to approve Minutes of Special City Council Meeting held September 13, 2011; Minutes of City Council Workshop held September 20, 2011; and Minutes of City Council Meeting held September 20, 2011. Ayes – All.

D. APPROVAL OF AGENDA

Motion by Councilor Koivunen, second by Councilor Hadrava to approve the Agenda. Ayes- All.

E. APPOINTMENTS/PRESENTATIONS

1. Jack Tuomi and Sandy Karnowski, Cliffs Natural Resources – Presentation of Cliffs Foundation check for Olde Town Eveleth Neighborhood Revitalization

Jack Tuomi presented a \$5,000 check to Mayor Vlasisavljevich from the Cliffs Foundation. The money will be used for the Olde Town Eveleth Neighborhood Revitalization project. Vlasisavljevich thanked Tuomi for the contribution.

2. Swearing in of Police Officer Tony Goulet

Chief of Police Brian Lillis performed the swearing in of Police Office Tony Goulet. Officer Goulet thanked the Council, Police Commission and Chief Lillis for adding him to the Police Department. Goulet looks forward to serving the City.

3. Reappointment of Sheldon Krall to the Fire Commission

Motion by Councilor Peterson, second by Councilor Koivunen to reappoint Sheldon Krall to the Fire Commission for term effective October 4, 2011 to September 17, 2014. Ayes – All.

F. VISITOR/PUBLIC PRESENTATIONS

None.

G. CONSENT AGENDA

1. Approval of Payroll – September 1-15, 2011 in the amount of \$101,699.26
2. Approval of Claims – September 2011 in the amount of \$596,663.75
3. Request for Abandonment Declaration (Vehicle: 1996 Toyota Camry, VIN: 4T1BG12K3TU945283)

Motion by Councilor Koivunen, second by Councilor Hadrava to approve Consent Agenda. Ayes – All.

H. PUBLIC HEARINGS

None.

I. UNFINISHED BUSINESS

None.

J. NEW BUSINESS

1. Letter from Quad Cities Rotary Club requesting funding for batting cage at Southside Park

Terry Nystrom and Boyd Carlblom, Quad Cities Rotary Club, addressed the Council with a request that the City donate towards a galvanized steel frame with metal fencing for the batting cage at the IGA Field. The existing batting cage, made of netting, has been vandalized.

Motion by Councilor Koivunen, second by Councilor Peterson to approve request from the Quad Cities Rotary Club and donate \$1,200.00 towards the batting cage at the Southside Park. Ayes – All.

2. Consider Quotation from Climate Makers for Boiler and Distribution Repairs at Eveleth Health Services Park

Frank Starky, Maintenance for Eveleth Health Services Park, referred to a list of needed repairs to the Eveleth Health Services Park heating system totaling \$14,000. Jessica Raad, Elder Care, said the repairs are critical to heat the building, and would also affect the Range Mental Health side of the building.

Motion by Councilor Hadrava, second by Councilor Koivunen to support updates from Climate Makers to the Eveleth Health Services heating system in the amount of \$14,000.00. Ayes – All.

3. Consider proposals for repair of Eveleth Health Services Park Loading Dock, Steps, and Door

Quotes were received on September 27, 2011 from the following contractors for repairs to the loading dock at the Eveleth Health Services Park:

3D Concrete and Construction	\$12,700.00
Lenci Enterprises, Inc.	\$13,700.00

Motion by Councilor Peterson, second by Councilor Hadrava to award proposal for repair of Eveleth Health Services Park Loading Dock, Steps, and Door to 3D Concrete and Construction in the amount of \$12,700.00. Ayes – All.

4. Update on COPS CHRP Grant

Chief Lillis reported that he was notified, by letter from the U.S. Department of Justice, that Eveleth did not receive grant money from the application submitted for the COPS CHRP Grant. Lillis said the agency has not denied Eveleth and the application remains under pending status. Although he is confident that the City will not be receiving funds from this particular grant as this is the third application since 2009.

5. Consider awarding vacant position(s) and/or advertising externally to fill vacant position created by pending retirement of Park & Rec Crew Leader

At the September 20, 2011 City Council Meeting, the Council authorized posting internally and externally as needed to fill the vacancy created by the retirement of Mike Newman as the Parks & Recreational Facilities Maintenance Lead Worker. The following internal posts were made for vacant positions:

Scott Collins applied for the Parks & Recreational Facilities Maintenance Lead Worker position.

Patrick Ziegler applied for the Parks & Recreational Facilities Maintenance Worker position.

Motion by Councilor Peterson, second by Councilor Koivunen to accept recommendation of Public Works Director to promote Scott Collins to the Parks & Recreational Facilities Maintenance Lead Worker position and Patrick Ziegler to the Parks & Recreational Facilities Maintenance Worker position effective November 1, 2011 and to authorize Public Works Director to post internally and externally as needed to fill the vacated position of Operator/Maintenance Worker. Ayes – All.

6. Resolution Providing for the Issuance of Certificate of Indebtedness for the Purchase of a Refuse Truck Cab and Chassis

Motion by Councilor Hadrava, second by Councilor Peterson to adopt Resolution No. 2011-18, “Resolution Providing for the Issuance of Certificate of Indebtedness for the Purchase of a Refuse Truck Cab and Chassis.” Ayes – All.

7. Consider Change Order No. 1 for purchase of New Refuse Truck Cab & Chassis

Motion by Councilor Peterson, second by Councilor Hadrava to approve Change Order No. 1 in the amount of \$842.00 for purchase of new refuse truck cab & chassis. Ayes – All.

Director Wiskow said the increase was for a surcharge to match the paint on the cab/lifting arm of the truck.

8. Consider Approving Partial Payment for purchase of New Refuse Truck Cab & Chassis to Skubic Brothers International in the amount of \$70,252.06

Motion by Councilor Peterson, second by Councilor Hadrava to approve Partial Payment for purchase of New Refuse Truck Cab & Chassis to Skubic Brothers International in the amount of \$70,252.06. Ayes – All.

9. Consider Awarding Quotation for Cemetery Fencing Improvements

Quotes were due at 2:00 p.m. on September 27, 2011 for fencing at the Eveleth Cemetery. One quotation was received Keller Fence Co. North, Inc. in the amount of \$18,286.25.

Motion by Councilor Koivunen, second by Councilor Hadrava to award quotation for Cemetery Fencing Improvements to Keller Fence Co. North, Inc. in the amount of \$18,286.25. Ayes – All.

10. Consider Approving Pay Request No. 5 from Jola & Sopp Excavating, Inc. in the amount of \$65,575.18 for the 2011 Capital Improvement Project

Motion by Councilor Peterson, second by Councilor Hadrava to approve Pay Request No. 5 from Jola & Sopp Excavating, Inc. in the amount of \$65,575.18 for the 2011 Capital Improvement Project. Ayes – All.

11. Consider Revising Hippodrome Rental Requirements

Director Wiskow explained the changes made since the last meeting. After consulting with the City's insurance agent, it was advised that only renters who plan to have spectators in the arena will be required to provide the 1 million dollar insurance policy.

Motion by Councilor Koivunen, second by Councilor Hadrava to accept revised Hippodrome Rental Requirements. Ayes – All.

12. Resolution in Support of the Eveleth-Gilbert Public School District's Proposed Operating Referendum

Motion by Councilor Peterson, second by Councilor Hadrava to adopt Resolution No. 2011-19, "Resolution in Support of the Eveleth-Gilbert Public School District's Proposed Operating Referendum." Ayes – All.

13. Letter from Tom Hall requesting liquor license refund

Motion by Councilor Peterson, second by Councilor Hadrava to issue Tom Hall a prorated refund of his 2011 liquor license. Ayes – Peterson, Hadrava, Vlasisavljevich; Abstained – Koivunen due to conflict of interest. Motion carried.

14. Letter from Chicagami requesting Certificate of Support for their new location at 1250 Industrial Park Drive

Chicagami has filed an application for financial assistance with the USDA – Rural Development. As part of the application, they are required to supply a Certificate of Support from local government entities.

Motion by Councilor Peterson, second by Councilor Hadrava to approve Certificate of Support for Chicagami at their new location with change in language as follows: "The proposed project will provide needed services and to our knowledge will have no adverse impact on the other facilities providing similar services." Ayes – All.

15. Consider proposal from Walker, Giroux, & Hahne Ltd. for auditing services for the years ended December 31, 2011, 2012, and 2013.

Motion by Councilor Peterson, second by Councilor Hadrava to accept proposal from Walker, Giroux, & Hahne Ltd. for auditing services for the years ended December 31, 2011, 2012, and 2013. Ayes – All.

16. Reconsider Motion from September 6, 2011 City Council Meeting – "Motion by Councilor Peterson, second by Councilor Koivunen directing City staff to solicit proposals to remove all buildings and items on the premises, secure the premises to prevent unauthorized entry, and that Michael Jacobsen may contact the Public

Works Director to get access to the premises to remove any of his personal belongings from the premises. Ayes – All.”

Attorney Brunfelt recalled that the Council had made a motion at the September 20, 2011 City Council Meeting to reconsider a motion from the September 6, 2011 Council Meeting. In the meantime, Jacobsen was to be onsite removing his belongings from the buildings.

Chief Lillis reported on the status of the property. Lillis said it appears that Jacobsen has had staff removing items from the premises. The Flour & Feed building has been demolished as set out by City contract with Jola & Sopp.

Councilor Koivunen asked Jacobsen how much time he thought would be needed to remove the remainder of his property.

Jacobsen said it depends on when winter sets in and questioned Monahan-Junek on the possibility of looking for an area within Eveleth to relocate.

Councilor Peterson said the City must follow through with consequences as Jacobsen has not met the deadlines imposed by the Council.

Attorney Brunfelt said the main agenda, as directed by the Council, is for Jacobsen to get the buildings down and removed from the premises. Brunfelt said that a new site location could take until next spring. Brunfelt advised that if the Council wants Jacobsen off the premises, relocation within Eveleth is not an issue. Moving Jacobsen would only be transferring the problem from one vicinity to another within Eveleth's jurisdiction.

Councilor Koivunen said he wants the buildings down by December 1, 2011.

Attorney Brunfelt reiterated that the buildings need to be relocated out of Eveleth's city limits.

Jacobsen said it creates a hardship with shutting the shop down for the winter. He questioned, "What is the difference whether I have it down in December or I have it down in May?" Jacobsen said there was a motion to sell the land in the Alice Location.

Brunfelt recoiled Jacobsen's comment with "But not to you." Brunfelt told Jacobsen that he was way beyond the scope of the land license, and should not be operating business on the premises.

Chief Lillis revealed his public safety concerns regarding an open demolition site. He requested that the Council require the site to be protected by a warning fence.

Councilor Peterson questioned whether or not Jacobsen could tear down the building since he is not the legal owner.

Director Wiskow said contractor Jola & Sopp had to submit paper work to the State, and was required to wait for 10 days before removing the Flour & Feed building.

Peterson said there is no hard copy proof that Jacobsen has ownership of the buildings.

Jacobsen suggested the City sell him the buildings for one dollar.

Councilor Hadrava said the City has made their point, and Jacobsen has followed it. Hadrava said he did not think this needs to be made into a huge issue.

Attorney Brunfelt said the Court adjudicated that the land and buildings are property of the City. The City will not be entering into conveying land ownership to Jacobsen.

Motion by Councilor Koivunen, second by Councilor Hadrava that by December 1, 2011, Mike Jacobsen be required to remove the corrugated tin building, the office building, and the cement plant; to remove all contents of the buildings (including contents of the red building); to follow all legalities required by the State; to secure the site with a warning fence and signs posting that the site is under demolition; and that no business be conducted on the premises. Ayes - Koivunen, Hadrava, Vlasisavljevich; Nays – Peterson. Motion carried.

K. COUNCIL PRESENTATIONS/COMMITTEE REPORTS

L. ADMINISTRATIVE PRESENTATIONS

Police Chief: Chief Lillis reminded the public that calendar parking is in effect from October 1st until April 30th. Lillis encouraged residents with questions on parking to call the police department.

Public Works Director: Director Wiskow reminded the public of the City Wide Clean Up which is ongoing until October 21, 2011.

Clerk-Administrator: City Clerk/Administrator Monahan-Junek said the \$5,000 check from the Cliffs Foundation is made out to AEOA since they are a nonprofit organization. AEOA is partnered with the City for the Olde Town Eveleth project.

Councilor Peterson revealed a need for foster homes in northern Minnesota. Anyone interested should contact St. Louis County.

M. ADJOURN

The Meeting adjourned at 8:15 p.m.

Robert Vlasisavljevich, Mayor

Attest:

Jackie Monahan-Junek
City Clerk/Administrator

Approved: October 18, 2011
Published: November 9, 2011