

MINUTES
Eveleth City Council Meeting
5:00 p.m., August 2, 2022
Council Chambers, City Hall, Eveleth, MN

A. CALL TO ORDER

Mayor Vlasisavljevich called the meeting to order at 5:00 p.m.

B. ROLL CALL

Councilor Jim Perpich, Present
Councilor John Rauzi, Present
Councilor Brian Lillis, Present
Councilor Joseph Koivunen, Present
Mayor Robert Vlasisavljevich, Present

Also present: City Clerk Administrator Jackie Monahan-Junek; Deputy City Clerk Stephanie Friebe; Public Works Director Jerry Rosati, City Attorney Joel Lewicki, Alan Johnson, Benchmark Engineering; Associate Attorney Brooke Hein, Flaherty Hood P.A.

C. APPROVAL OF MINUTES

Motion by Councilor Koivunen, second by Councilor Lillis to approve the following minutes:

- 1. Minutes of City Council Workshop Meeting held June 2, 2022;*
- 2. Minutes of City Council Special Meeting held June 21, 2022;*
- 3. Minutes of City Council Workshop Meeting held June 28, 2022;*
- 4. Minutes of City Council Meeting held July 6, 2022.*

Ayes – All.

D. APPROVAL OF AGENDA

Motion by Councilor Rauzi, second by Councilor Perpich to approve the agenda with the following change:

Move to closed session: I.10. Pending Litigation – City of Eveleth v. Jesse Howe and PERA

Ayes - All

E. APPOINTMENTS/PRESENTATIONS

None.

F. CONSENT AGENDA

- 1. Approval of Payroll –June 16-30, 2022 in the amount of \$168,767.72**
- 2. Approval of Payroll – July 1-15, 2022 in the amount of \$138,812.57**
- 3. Approval of Claims – July 2022 in the amount of \$718,175.55**

Motion by Councilor Koivunen, second by Councilor Lillis to approve Consent Agenda Items F.1 – F.3. Ayes – All.

- 4. Accept 2021 Annual Audit**

Motion by Councilor Koivunen, second by Councilor Rauzi to accept the 2021 Annual Audit. Ayes – All.

- 5. Request for Officer Out-of-Town Training, Defensive Tactics Instructor Certification, August 22-25, 2022, Hackensack, MN**

Motion by Councilor Perpich, second by Councilor Lillis to approve request for Officer Out-of-Town Training, Defensive Tactics Instructor Certification, August 22-25, 2022, Hackensack, MN. Ayes – All.

- 6. Request for Library Director to attend Minnesota Library Association Annual Conference, October 27-28, 2022, Duluth, MN**

Motion by Councilor Koivunen, second by Councilor Rauzi to approve request for Library Director to attend Minnesota Library Association Annual Conference, October 27-28, 2022, Duluth, MN. Ayes – All.

G. PUBLIC HEARINGS

None.

H. UNFINISHED BUSINESS

None.

I. NEW BUSINESS

- 1. Second Reading of an Ordinance repealing and replacing Ordinance No. 18, Second Series Amending Chapter 7 of the City Code of the City of Eveleth, Section 7.08 Blighting Factors Prohibited**

Motion by Councilor Lillis, second by Councilor Perpich to approve the second reading and adoption of Ordinance No. 76, 2nd Series, “An Ordinance Repealing and Replacing

Ordinance No. 18, Second Series Amending Chapter 7 of the City Code of the City of Eveleth, Section 7.08 Blighting Factors Prohibited.” Ayes – All.

2. Quotation for John Deere Gator (TE Model Year 2023)

Public Works Director Rosati received a quotation from Northland Lawn & Sport, LLC, Mountain Iron, Minnesota, for a new John Deere Gator. The machine will be available in 2023.

Motion by Councilor Perpich, second by Councilor Rauzi to approve quotation for John Deere Gator (TE Model Year 2023) from Northland Lawn & Sports, Mt. Iron, MN, in the amount of \$14,580.57. Ayes – All.

3. Pay Request No. 2 from 3D Concrete and Construction in the amount of \$11,615 for 2022 Curb & Sidewalk Improvements

Motion by Councilor Lillis, second by Councilor Perpich to approve Pay Request No. 2 from 3D Concrete and Construction in the amount of \$11,615 for 2022 Curb & Sidewalk Improvements. Ayes – All.

4. Quote for IPS for telemetry communication upgrades at the water treatment plant and wastewater treatment plant.

The City received quotes for a telemetry communication upgrade at the water treatment plant and wastewater treatment plant as follows:

Automatic Systems: \$97,908.00
Integrated Process Solutions (IPS): \$85,725.00

Motion by Councilor Rauzi, second by Councilor Perpich to approve quote from Integrated Process Solutions in the amount of \$85,725.00 for telemetry communication upgrades at the water treatment plant and wastewater treatment plant. Ayes – All.

5. Quote for Fayal Pond Recreational Trail Improvements

The following quotations were received at 1:00 p.m. on July 8, 2022:

Mesabi Bituminous, Inc. \$37,730.00
ZEZ, Inc. dba Jola & Sopp Excavating: \$40,700.00

Motion by Councilor Koivunen, second by Councilor Lillis to approve quotation for Fayal Pond Recreational Trail Improvements from Mesabi Bituminous, Inc. in the amount of \$37,730.00. Ayes – All.

Councilor Koivunen said there are a lot of people using the walkway at Fayal Pond. The improvements will be for the backside of the pond. The City will continue making improvements to Fayal Pond in phases.

6. Purchase Agreement & Resolution to sell five lots in Volcansek Addition No. 2 to North St. Louis County Habitat for Humanity

Motion by Councilor Rauzi, second by Councilor Perpich to approve Agreement & Resolution to sell five lots in Volcansek Addition No. 2 to North St. Louis County Habitat for Humanity. Ayes – All.

The following described lots will be sold at a purchase price of \$2,500.00: Lot 3, 4, 5, 6, and 7, Block 13, Volcansek Addition No. 2, City of Eveleth, 040-0190-00030, 040-0190-00040, 040-0190-00050, 040-0190-00060, 040-0190-00070.

7. RAMS Call for Action – letter to legislative leaders re special session

Councilor Perpich said he feels the Council needs to support this letter. He would like the State of Minnesota to figure out something to get through the rest of the year. Perpich said, “It is time to stop being political and start taking care of the people of Minnesota.”

Motion by Councilor Perpich, second by Councilor Koivunen to support RAMS Call for Action letter to legislative leaders regarding special session. Ayes – All.

8. Department Head Purchasing Policy

Motion by Councilor Rauzi, second by Councilor Koivunen to increase the department head (City Clerk/Administrator, Director of Public Works, Chief of Police) purchasing limit without prior City Council approval for up to \$10,000. Ayes – All.

9. Resignation of EMT Hunter Gilbert

Motion by Councilor Lillis, second by Councilor Koivunen to accept resignation from Hunter Gilbert from the Eveleth Ambulance and to send him a letter of thanks for his service. Ayes – All.

10. Pending Litigation – City of Eveleth v. Jesse Howe and PERA

This portion of the meeting was held after Council and Administrative Presentations.

Mayor Vlaisavljevich read the following statement:

This portion of the meeting will be closed pursuant to Minnesota Statutes, section 13D.05, subdivision 3 (b). The grounds for closing it are as follows:

The City's need for absolute confidentiality outweighs the purposes served by the open-meeting law in this case based on the following:

- Absolute confidentiality is necessary so that the City Council and legal counsel can have a candid and open discussion to determine the available legal options to handle the litigation, including response strategy and possible areas of reconciliation.
- The purpose of the closed meeting is not to make a decision behind closed doors, but instead, the purpose of the meeting is to determine the legal options for handling the litigation.
- The only business to be discussed is the pending litigation.
- An open session would be detrimental because it may take place in the presence of individuals involved in the litigation.
- A closed session would benefit the public because the ultimate outcome of the litigation may impact the finances of the city.

Motion by Councilor Lillis, second by Councilor Perpich to go into closed session pursuant to Minnesota Statutes, section 13D.05, subdivision 3 (b) regarding the pending litigation of City of Eveleth v. Jesse Howe and PERA. Ayes – All.

The following were present at the closed session: Mayor Robert Vlasisavljevich, Councilor Brian Lillis, Councilor Joe Koivunen, Councilor John Rauzi, Councilor James Perpich, City Clerk Administrator Jackie Monahan-Junek, Police Chief Jesse Linde, City Attorney Joel Lewicki, Associate Attorney Brooke Hein (Flaherty Hood P.A.).

The Council went into closed session at 5:24 p.m. The closed session ended and open session resumed at 6:23 p.m.

J. COUNCIL PRESENTATIONS/COMMITTEE REPORTS

Councilor Rauzi reported on a recent Special HRA meeting to proceed with new windows and doors. Rauzi said the quotations came in under budget.

K. ADMINISTRATIVE PRESENTATIONS

Public Works Director – Director Rosati said the Public Works Department is trying to keep up with a lot of washouts. The catch basins and manholes have been falling apart.

City Engineer – Alan Johnson, Benchmark Engineering, reported that the contractors are a little behind schedule on Douglas Avenue. The weather has been a hindrance in getting the

project completed. The Roosevelt project has been brought up to grade. They are planning to start concrete.

Mayor Vlasisavljevich recapped the July 28th Workshop Meeting. He indicated that City Clerk Administrator Monahan-Junek presented the Council with an extensive list of City owned properties.

Clerk Administrator – Monahan-Junek reported that City staff is ready for the upcoming Primary Election.

City Attorney Joel Lewicki said it is good to be back in Eveleth.

The Council went into closed session at this point in the meeting. See Agenda Item I.10.

L. ADJOURN

The meeting adjourned at 6:23 p.m.