

MINUTES
Eveleth City Council
Hearing to Deliberate on an Alleged Failure to Comply
with a Demolition Order on the principal building and garage
located at 1502 W. 1st Street, Eveleth, MN

3:30 p.m., April 21, 2025
City Auditorium, 421 Jackson Street, Eveleth, MN

A. Call to Order

The meeting was called to order at 3:30 p.m.

B. Roll Call

Councilor Jim Perpich, Arrived at 3:35 p.m.
Councilor John Rauzi, Present
Councilor Brian Lillis, Present
Councilor Joseph Koivunen, Present
Mayor Adam Roen, Present

Also present: City Clerk Administrator Jackie Monahan-Junek; Deputy City Clerk Stephanie Friebe; Police Chief Jesse Linde; City Attorney Joel Lewicki

C. Hearing to Deliberate on an Alleged Failure to Comply with a Demolition Order on the principal building and garage located at 1502 W. 1st Street, Eveleth, MN

1. Code Enforcement Officer to Present Evidence

Bernice Sabetti was provided with the paperwork presented to the Council regarding the building and garage located at 1502 W. 1st Street, Eveleth, Minnesota. Ms. Sabetti was given the opportunity to speak. Sabetti said she knows the property is an atrocity. She said that years ago, the City of Eveleth turned the water on in the fall (unbeknownst to her). In the springtime, Sabetti became aware that the water had been turned on and discovered the building had been flooded with three feet of water. Sabetti then contacted the City to get the water turned off. Sabetti said she was instructed by the Public Works Director to clean up the property and send the bill to the City. Sabetti consulted a contractor who informed her the property was not salvageable. Sabetti said she planned to have the structure demolished, but found out that she did not, in fact, own the property. The actual owner, at the time, had given the property to her children.

Sabetti said she hired an attorney to sort out the property, but then became sick and did not have money available to demolish the building. Sabetti recognized issues with the

property to include: kids snowboarding off the roof, vandals stealing copper pipes, etc. Sabetti said, "I know the building is atrocious," but she placed partial blame on the City for the water damage incurred. Sabetti said that she has talked with a lawyer and was informed that some towns will have the City tear down the structure with IRRRB paying the tipping fees. Sabetti said she is hoping the City can help her solve this problem. She said her daughter has paid the taxes on the property and has been mowing the lawn over the years. Sabetti said she has talked with an attorney to have the property surveyed and hoped she could divide the lots and give a portion of the land (with the buildings) to Habitat for Humanity and a portion to her daughter who owns the adjacent property. She was informed by Habitat for Humanity that they do not have money to tear down the structures. Sabetti said to the Council, "I can't change your mind" and that the Council will do what it wants to do. She said she is on a fixed income and does not want to lose her house as it is paid for. She said she was going home and told the Council to let her know what is decided. She said to contact her attorney, Sam Aluni, with any question on the division of the property. Sabetti left the hearing at 3:37 p.m.

Brian Lillis communicated that he would not be participating in the Council deliberations as he was representing the City as Code Enforcement Officer. Lillis referred to the following three documents he provided the Council and Sabetti:

1. The printed version of his power point presentation;
2. Exhibits given to Council for April 7, 2025 Meeting; and
3. A of City Code Section 10.23, Subd. 16 which pertains to demolitions.

Mayor Roen said that there have been groups who have wanted to purchase the property from Ms. Sabetti, but she would not sell.

Lillis pointed out the purpose of the hearing is the issue regarding the property at 1502 W. 1st Street, Eveleth, and the fact that a condemnation and demolition order has been issued, and the owner of the property has failed to comply with the order.

Lillis provided an extensive history on the property. The house was built in 1900 and the garage constructed in 1910. The property was most recently sold in December of 2007 for \$16,000. Bernice Sabetti is listed as the current owner. The house has been unoccupied for several years. The last record of a City utility payment was July 22, 2008. The house has no active electrical services and the electrical meters have been removed. The property is on a corner lot in a residential neighborhood with houses to the east, west and south.

Police records reflect that the property has been the source of 8 documented blight complaints since 2008. Code Enforcement Officer Lillis received a citizen complaint on July 15, 2024 that the main building was collapsing. At that time, Lillis inspected the property and found both the house and garage were in a state of extreme disrepair with

both roofs of the buildings appearing to be collapsed. Lillis presented the Council with photos which showed the conditions of the buildings.

Code Enforcement Officer Lillis mailed a Declaration of Condemnation and a Demolition Order to Bernice Sabetti on July 24, 2024 requiring demolition of the buildings by January 24, 2025. Lillis received a handwritten letter from Sabetti on August 14, 2024 appealing the timeline for the demolition of the buildings. Lillis extended the deadline to March 15, 2025. As the buildings were not demolished by the March 15, 2025 deadline, Lillis reported this fact to the City Council at the regular City Council Meeting held April 7, 2025. The hearing for today's meeting was then scheduled.

2. Property Owner to Present Evidence

Property owner Bernice Sabetti spoke at the beginning of the meeting and departed at 3:37 p.m.

3. Code Enforcement Officer to Present Closing Comments

Lillis described the basis for the condemnation order stating the buildings are unsafe and unfit for human occupancy. He referenced Eveleth City Code with the buildings falling under the Dangerous Structures and Unsafe Structures as defined in Eveleth City Code, Section 10.23 and the Attractive Nuisance term described in Section 10.23. Lillis described the buildings as a threat to the safety of the general public and reported that children have been chased out of the buildings.

4. Property Owner to Present Closing Comments

Property owner Bernice Sabetti was not present during this portion of the meeting because she left at 3:37 p.m., before this agenda item.

5. City Council to Deliberate and Announce Decision

After deliberating, the Council found that there had been sufficient evidence presented at the hearing to make a finding in the matter, and to direct staff to take further action.

Motion by Councilor Koivunen, second by Councilor Perpich that there has been sufficient evidence presented at the hearing to determine that the Declaration of Condemnation and the Demolition Order issued by the Code Enforcement Officer to Bernice Sabetti for the buildings on her property at 1502 W. 1st Street, were, in fact, warranted and were not arbitrary or capricious. Additionally, that Bernice Sabetti had failed to comply with the Demolition Order. Also, there was sufficient evidence presented to conclude that the buildings on the property at 1502 W. 1st Street are, in fact dangerous and unsafe, and are an ongoing threat to the safety of the general public. The

Council directs that Bernice Sabetti be officially notified of the findings. Also, the Council directs Code Enforcement Officer Lillis to take appropriate action to arrange demolition of the buildings as soon as feasible. Ayes - Rauzi, Koivunen, Perpich, Roen. Abstained – Lillis (due to conflict of interest). Motion carried.

Discussion took place on securing the property immediately with orange fencing and “No Trespassing” signs.

The Council also discussed offering Ms. Sabetti the option to sell the property to the City for \$1. If the City were to take ownership of the property, the City would be responsible for the demolition costs. The property, in its entirety, would be sold to the City and no divisions of the parcel would be accepted. If Sabetti does not convey the entire property to the City for \$1, a lien for the demolition costs incurred by the City will be assessed to the property. If Sabetti elects to convey the property to the City there will be no lien against the property. The City would then try to remove some of the debt incurred by reselling the property. Councilor Perpich pointed out that if Sabetti were to sell the property to the City, she would be freeing herself from further obligation.

Mayor Roen asked about potential City liability for the alleged water damage to the building. City Attorney Lewicki advised that per Ms. Sabetti’s opening statements, she acknowledged that she did not own the property when the alleged flooding occurred. Sabetti purchased the property after the alleged flooding and was aware of the water damage to the structure prior to her ownership.

The Council would like a letter sent to Ms. Sabetti informing her of the Council’s decision to condemn the property and authorize demolition. The City will send a separate letter, to be drafted by City Clerk Administrator Monahan-Junek and City Attorney Lewicki, to lay out the City’s offer to purchase the entire property from Ms. Sabetti for \$1 and that the City would incur the demolition costs if the property is conveyed to the City.

Motion by Councilor Rauzi, second by Councilor Perpich to direct City staff to take appropriate steps to secure the premises at 1502 W. 1st Street to protect the public from harm, based on evidence presented to the Council and in consideration of property owner Bernice Sabetti’s statement at the hearing that the City Council, “Do what you want to do” to the property. Ayes – Rauzi, Koivunen, Perpich, Roen. Abstained – Lillis (due to conflict of interest). Motion carried.

D. Adjourn

The Meeting adjourned at 4:29 p.m.