

MINUTES
Eveleth City Council
Hearing to Determine the Fitness for Occupancy of the Dwelling
Located at 717 Summit Street, Eveleth, MN

July 15, 2025; 3:00 p.m.
City Hall, 413 Pierce Street, Eveleth, MN

A. Call to Order

Mayor Roen called the meeting to order at 3:00 p.m.

B. Roll Call

Councilor Jim Perpich, Present
Councilor John Rauzi, Present
Councilor Brian Lillis, (Present as Independent Contractor Code Enforcement Officer)
Councilor Joseph Koivunen, Present
Mayor Adam Roen, Present

Also present: City Clerk Administrator Jackie Monahan-Junek; Deputy City Clerk Stephanie Friebe; Public Works Director Jerry Rosati; Police Chief Jesse Linde; City Attorney Joel Lewicki; Alan Johnson (arrived at 3:22 p.m.), Bolton & Menk Engineering

Diane Bechtold, owner of 717 Summit Street, was in attendance.

C. Hearing to Determine the Fitness for Occupancy of the Dwelling Located at 717 Summit Street, Eveleth, MN

1. Code Enforcement Officer to present report on the condition of the dwelling and Order to Vacate issued by the Code Enforcement Officer

Diane Bechtold, owner of 717 Summit Street, Eveleth, MN, spoke first. Ms. Bechtold discussed talking to legal aid and removing tents from her yard. Bechtold said that she is finally beginning to realize what this is coming to and is willing to keep up with the property. Bechtold revealed panic attacks and anxiety which may be aggravated by this situation. She also has PTSD, hoarding disorder, asthma (depending on the weather) and an allergy to bees and wasps. Bechtold recognizes her need for help and is planning to make necessary appointments for assistance so she does not find herself back in this same situation. Bechtold said she wants to stay on her property and that she has family and friends to help. She said her son-in-law will have access to a truck and trailer to get rid of things and start throwing stuff out. She recently received a new heater which was paid for by AEOA. She has inquired with the Eveleth Public Utilities Department about

the cost for turning the water back on. Bechtold said she spoke with St. Louis County on July 1st to request any type of assistance that would be available through Social Services.

Bechtold indicated she is on a fixed income and asked Code Enforcement Officer Lillis if she needed to hire a professional to repair the broken stairs and remove the porch. Bechtold said she has family who can help tear down the porch in mid-August. Lillis informed Bechtold that she did not have to hire a professional contractor to make the repairs.

Bechtold said she understands the concerns and does not want her house to be taken. She wants to meet the codes, but it cannot be done overnight. Bechtold said she is willing to consider suggestions on what to do and that she wants to stay in her home as she has been there for a long time. She has memories and wants to make more memories there with her grandchildren and great-grandchildren.

Brian Lillis noted for the record that he will be appearing at today's hearing as the Independent Contractor Code Enforcement Officer for the City of Eveleth and will not be deliberating or participating as a City Councilor. Lillis stated that the purpose of the meeting is for the City Council to be informed and ultimately decide on the best way to handle Ms. Bechtold's property.

Code Enforcement Officer Lillis presented the City Council and Ms. Bechtold with the following documentation:

1. Affidavit of Brian M. Lillis regarding the property at 717 Summit Street, Eveleth, Minnesota dated July 10, 2025;
2. Letter to Ms. Diane Bechtold and Declaration of Structure Condemnation and Order to Vacate Premises dated July 10, 2025; and
3. Copy of Presentation on Hearing to Deliberate on Condemnation of House as Unfit for Human Occupancy and As An Unsafe Structure for 717 Summit Street, Eveleth, Minnesota.

Code Enforcement Officer Lillis presented the Council with an investigative summary which began on May 1, 2025. Lillis inspected the property after receiving citizen complaints on blight conditions. Upon visiting the property at 717 Summit Street, Lillis observed blight conditions in the yard and noted that the porch of the house appeared to be collapsing. An investigation followed resulting in the service of a condemnation order and order to vacate the premises, which was served on homeowner, Diane Bechtold, on July 10, 2025. The order was served based on the grounds that the house is an unsafe structure and is unfit for human occupancy. Lillis presented the Council with a series of photos taken of the property between May 1, 2025 and June 30, 2025.

Pursuant to Eveleth City Code, Section 10.23, Subd.16A, Lillis presented structural deficiencies of the house at 717 Summit Street.

Eveleth City Code, Section 10.23, Subd. 16A

Unsafe Structures: An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the premises because of where the structure is situated, because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Lillis referred to Eveleth City Code, Section 10.23, Subd. 16C and reported that the structure is unsafe and in disrepair. The house contains filth or contamination in a significant way and lacks sanitary facilities. The water was shut off on March 11, 2024 (and remains off) as an emergency measure due to water flowing out of the basement.

Eveleth City Code, Section 10.23, Subd. 16C

A structure is unfit for human occupancy whenever the Code Enforcement Officer finds that such a structure is unsafe, unlawful work, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth or contamination, or lacks electricity, sanitary or heating facilities or other essential operating equipment, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

2. Property Owner to respond

Ms. Bechtold spoke at the beginning of the meeting.

3. Code Enforcement Officer to present closing comments

Code Enforcement Officer provided the following summary:

- Lillis indicated that he had submitted testimony, exhibits and photographs to the Council to demonstrate that the house situated at 717 Summit Street is an Unsafe Structure as that term is defined in City Code, Section 10.23, Subd. 16A as well as that the structure is Unfit for Human Occupancy as that term is defined in City Code, Section 10.23, Subd. 16C.
- Lillis upheld that the structural conditions as well as the sanitary conditions clearly and convincingly warranted the need to protect the health, safety and welfare of the public by taking an action to condemn the structure and to order the occupants to vacate the premises.
- Lillis stated that his actions in this matter have been neither arbitrary nor capricious.

Ms. Bechtold said all of these issues can be fixed, but it won't be an overnight thing.

4. City Council to deliberate and announce decision

Mayor Roen sympathized with Ms. Bechtold and said he understands her memories associated with the house. Roen said that Mr. Bechtold's safety has to take priority over those memories. He encouraged her to get estimates for improvements before expending funds rather than spending money and still needing to demolish the house.

The Council discussed the unsafe living conditions at 717 Summit Street and concluded that:

Motion by Councilor Perpich, second by Councilor Koivunen to conclude:

- *That there is sufficient evidence that the condemnation order and order to vacate the premises of 717 Summit Street, Eveleth, Minnesota were warranted;*
- *That the actions of the Code Enforcement Officer were appropriate, and were neither arbitrary nor capricious;*
- *That the house at 717 Summit Street continues to constitute violations of the Eveleth City Code, and constitutes a risk to the health, safety and welfare of the public; and*
- *That Diane Bechtold shall vacate the house by noon on Saturday, July 19, 2025 with the only reason to enter the house being to maintain or repair the structure.*
- *That Diane Bechtold shall provide to the City Council by September 1, 2025, quotations from contractors on the cost to repair the house and to make the house safe, sanitary and compliant with the City Code.*

*Ayes – Rauzi, Koivunen, Perpich, Roen; Abstain – Lillis (due to conflict of interest).
Motion carried.*

Motion by Councilor Koivunen, second by Councilor Rauzi to direct Code Enforcement Officer Lillis:

- *To order Diane Bechtold, owner of 717 Summit Street, or any other human beings to vacate the house by noon on Saturday, July 19, 2025 with the only reason to enter the premises being to maintain or repair the structure; and*
- *To further prohibit any human being from occupying the house until such time that the house is made safe, sanitary and compliant with City Code.*
- *To order Diane Bechtold to provide the Eveleth City Council with quotations by September 1, 2025 from contractors on the cost to repair the house and to make the house safe, sanitary and compliant with the City Code.*

*Ayes – Rauzi, Koivunen, Perpich, Roen; Abstain – Lillis (due to conflict of interest).
Motion carried.*

Ms. Bechtold asked if she could appeal the Council's decision. City Attorney Lewicki said that, from the City's perspective, Bechtold would have the right to appeal. Lewicki said there are timelines to follow and that an appeal hearing in this case would be held in District Court.

Ms. Bechtold said she feels like everything is being taken away. Mayor Roen said that every person involved only did what was best to support her safety and the community's safety.

D. Adjourn

The meeting adjourned at 4:04 p.m.