

Pursuant to the due call and notice thereof, the City Council met in special session on June 14, 2021, at 7:00PM. Those present were Mayor Bill Wuttke, Philip Nagel, Michael Fischer, Fran VanBockel, Eric Ellwanger, and Kelly Archer. Also present were Russell Anderson, Maintenance Manager, Sheila Schatz, Finance Officer, and Michael Larson, City Attorney. Public attendance consisted of Greg Roseland of R&K Mechanical, Trisha Jost, Piper Jost, Fr. Jerry Kopel, Delton Woodford, Ronnie Tobin, Delvin Worth, Dan Thomas, Bev Thomas, Luisa Batto, and a few participants on via ZOOM.

Moved by Nagel, Ellwanger seconded, to approve the June 14, 2021, special meeting proposed agenda. All members present voted Aye. Motion carried.

Moved by Nagel, Ellwanger seconded, to go into Executive Session for legal at 7:10PM. All members present voted Aye. Motion carried. Council reconvened at 7:25PM.

Discussion was had on the 212 Highway Project and private sewer lines involved. The question was asked as to what portion of the sewer lines City owns and is responsible for vs. the homeowner owns and is responsible for. Nagel read City Ordinance 2011-6-7 Title 12.12.020 Public Services – 13.12 Sewer Service and 13.12.020 connection application which was passed in July of 2011.

It was again asked if there is any type of warranty on the scope of work that will be done by R&K Mechanical on each private homeowner's service who agrees to sign the Contract for Services. Nagel stated there is a State statute requiring the contractor performing the scope of work shall have a minimum of a 1-year warranty, so R&K Mechanical, who is doing the work, will be responsible for a 1-year warranty.

It was again explained that although the State does own Highway 212, currently, for the duration of this 212 Highway Project until completed, the general contractor, Reede Construction, now owns this portion of the highway. Reede Construction has made it known that they will not allow any other contractors to perform work other than the contractor who is hired to do the scope of work to the private homeowner sewers affected by this 212 Highway Project that have signed the Contract for Services. R&K Mechanical is who put in the quote and was awarded said work by the City.

The question was asked what happens with a Contract for Services that has been agreed upon and signed, if at the point of being in the location of said homeowner's sewer service, it is discovered the sewer line runs to a side street and does not need to be moved or replaced. It was stated that the Contract for Services would then be written as "Null and Void" with Mayor Wuttke signing off on the same and will be dissolved and no work would be completed.

The question was asked if the Contract for Services was signed and the option of repayment chosen was over 10 years with a monthly payment over that duration, if the current owner decides they must sell their property, is the Contract for Services transferrable to the new owners. It was stated that yes, the Contract for Services would be transferrable to new owners purchasing the property if the current homeowner were to sell said property. This is the reason each Contract for Service will be filed with the Register of Deeds.

Schatz reminded that the Contract for Services must be signed and notarized with an option chosen if so choose to move forward with the contract and have the scope of work completed.

Also, Schatz stated some research was done and the City can add a line item to those who are entering into said contract on that individual's water/sewer/garbage card that is sent out monthly. It was asked when the actual initial billing of said contract will start and it was stated billing will not start until this Phase area of the project is complete which will be in approximately November of this year. Notice will be sent out ahead of time.

It was asked how many residents along Highway 212 received letters with the attached Contract for Services. Schatz stated 27 were sent out.

Correspondence: None.

Round Table: Nagel wanted to remind that the City Animal Clinic which Selby Vet services is putting on is set for Tuesday, July 20, 2021, from 10:00AM to 3:00PM at the Potter County Fairgrounds and will be advertised in the local newspaper.

Moved by Nagel, Fischer seconded, to adjourn at 8:25PM. All members present voted Aye. Motion carried.

Attest:

Witness

\_\_\_\_\_  
Sheila K. Schatz, Finance Officer

\_\_\_\_\_  
Bill Wuttke, Mayor

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