

GOOD THUNDER SPECIAL COUNCIL MEETING  
Minutes of the Meeting  
February 21, 2024

Mayor Robert Anderson called the meeting to order at 7:00p at City Hall at 130 S Ewing Street in Good Thunder, MN 56037. Councilors Scott Stoltzman, Amy Klammer, Tom Froehlich & Jon Brude were present. Raece Johnson, City Maintenance was present via Zoom. Sue Petty, City Clerk-Treasurer was present, Brian Severns was absent.

The pledge was recited, immediately followed by a moment of silence.

Councilor Stoltzman made a motion to approve the agenda, Councilor Brude seconded; motion carried.

Jeff Domras and Joe Smith from Bolton & Menk recapped the discussion with property owners regarding a permanent easement for the N Halladay Sanitary Sewer Project and where it was left off at the previous meeting. Joe also brought up a sanitary sewer failure behind Dick's Locker and property off Main St. with the possibility of connecting those properties to the new sewer pipe. Mayor Anderson asked about keeping the sewer pipe where it is currently located and lining the pipe or exercising the prescriptive easement and replacing the existing sewer pipe where it currently is. There is currently a shed over a portion of the pipe, however it could be replaced up to the shed and from the shed to Front St. The pipe would go from a 10-inch pipe to an 8-inch pipe under the shed and back to a 10-inch pipe on the other side. Mayor Anderson asked about digging where the old bulk station was and who would be responsible if there is contaminated dirt found. Jeff Domras explained the process of contacting the MPCA and following their guidelines, however the city would be responsible for the cost. Mr. Jay Winters stated Bret's property was given a "clean bill of health" when they purchased 200 N Front St. Mayor Anderson asked if they had a document that stated such. The cost to replace the sewer pipe where it is would be less than relocating, however the line under the shed would not be replaced, unless the city paid the cost to remove the shed and put the shed back after laying the new pipe. Mr. Jay Winters expressed concerns about replacing the existing pipe where it is and having an 8ft trench next to his building. There is a benefit to both the property owner and the city to secure a permanent easement on the south side of the Winter's property. There is a rite of way on the West side of the Winter's property which can be used instead of trying to secure an easement on the West side.

Joe Smith discussed more thoroughly the need to connect the sewers from Dick's Locker, Street Machine's Plus and Mr. Kleinow residence. There would need to be a 15 ft easement to the south Dick's Locker, Mr. Richard Poehler and Donovan Companies. The cost for this project would be \$65,000. This would be 200 feet of new sanitary sewer lines and would eliminate approximately 300 feet of old clay pipe. Councilor Froehlich asked about moving the east-west line 20 feet south onto the other property, Joe explained the grade in the pipe is very minimal and very flat so going farther south would mean more pipes and very flat which is not ideal. Councilor Froehlich stated the state is requiring the city to improve the I&I and this project will help the I&I issue.

Discussion regarding perimeter clay tile pushing water into the Sanitary Sewer. This can be identified when the new Sanitary Sewer line is installed. The cost of the project will remain about the same at \$180,000, adding the \$65,000 for the new sewer line for 532 Main Street, Dick's Locker and Street Machine's Plus and not replacing the sewer pipe to the North but lining it instead. This cost does not include the cost of any easements needed.

Councilor Froehlich asked what the cost of permanent easement would be for 1/10 acre on Mr. Bret Winter's property, Joe Smith stated the cost would be \$2,000. Mr. Bret Winter wanted to discuss the \$10,000 offer Mayor Anderson stated at the February 12, 2024, meeting. However, that was not an actual offer as the mayor cannot bind the city. There would need to be a motion from the council and approved before an offer can be made. Councilor Brude stated \$10,000 is too much and is concerned about the precedence it sets going forward with needing easements for future projects. Mr. Bret Winter's stated he is the path of least resistance due to the other property owners putting up fences, building, retaining walls on the right of way where the existing sewer currently is. Mayor Anderson asked Bolten & Menk about the permits that Clerk Petty sent to him regarding building permits for the fences that are in the 12 ft right of way. Jeff Domras stated those permits he received were not for fences. Therefore, there is a concern there were no permits obtained at the time the fences and building were installed. Resident Ms. Liz Pongratz informed council the 12 ft right of way is what Xcel Energy uses to maintain their power poles. The 12 ft right of way would not be a good location for the new sewer lines due to the power poles. Mayor Anderson suggested we have another meeting and invite the other 7 property owners that will be affected by the new Sanitary Sewer Project to come and have a discussion regarding this. Jeff Domras of Bolten & Menk states the city basically has 2 options: replace the existing sewer line where it is or work with the property owner and obtain a permanent easement to the south of the existing sewer line. The city is providing a service to the residents and will incur all the costs of the permanent easement and doesn't cost the property owner anything. Mayor Anderson asked if the trees located in the right of way can be removed with no recourse from the residents, per Joe Smith if they are in the right of way they can be removed. A permanent easement would benefit the property owner in moving the existing sewer line away from the building.

Councilor Froehlich asked Mr. Bret Winter's what number he was looking to get for the easement. Councilor Klammer and Councilor Brude stated the previous \$10,000 was "off the cuff" and asked the resident for a dollar amount. Mr. Bret Winter's stated by giving the city a permanent easement they will not have to have the other residents move fences. Councilor Klammer explained the other residents' fences are not involved in the East/West easement. Mr. Winters would accept the \$10,000 offer. Council feels this is too high, Mayor Anderson stated per the City's attorney, the amount needs to be reasonable as the money comes from public funds. Councilor Klammer stated the city can bring a condemnation process where the easement value would be determined by a court, and both parties could incur legal fees. Councilor Stoltzman asked about boring under the shed that is sitting on top of the existing sewer line. Discussion continued with no successful outcome for either party. Councilor Froehlich suggested \$7500, however Mr. Winters declined and stated he would accept \$10,000. Council decided to schedule a closed meeting to discuss this further and schedule a special meeting and invite the

other 7 property owners to continue public discussion. Councilor Froehlich made a motion to schedule a closed meeting February 27, 2024, at 7pm, barring any scheduling conflicts, and schedule a special meeting March 5, 2024, at 7pm with invitations mailed out to the 7 property owners involved, Councilor Brude seconded; motion carried. UPDATE: per Caucus events, closed meeting will be scheduled February 29, 2024, at 7pm.

Discussion on how to proceed with the new water meter installation continued. Having a 3<sup>rd</sup> party install the water meters will cost roughly \$24,000. They will do all the leg work, have all the tools and equipment to change out the water meters and/or replace parts if needed. The process will take about 2-3 weeks to complete, they can also do the lead pipe survey with the option of the sump pump inspection for an additional cost. Councilor Froehlich made a motion to approve 3<sup>rd</sup> party installation with DSG, Councilor Klammer seconded; motion carried. Raece will contact Brad Simms and get the process started. Mayor Anderson asked about the lead pipe inventory and who would pay the cost to replace those pipes. Joe Domras stated the city is responsible, but there are funds available for that purpose.

Community comments: None

Unfinished Business: Discussion continued regarding the need for new Christmas Decorations for Main St. Clerk Petty showed council 4 options for decorations. Councilor Klammer made a motion to approve 8 new Holiday Decorations for Main St, asked Clerk Petty to decide on 8, Councilor Stoltzman seconded; motion carried.

Hiller Drive needs some gravel. Paul Barnard talked to Raece and asked for some gravel on Hiller Drive. Raece will bring a couple buckets out there for now until spring.

Councilor Froehlich expressed concerns about the school project. A resident has been contacting officials to see what can be done to push the project along.

Councilor Brude made a motion to adjourn the meeting, Councilor Stoltzman seconded; motion carried. The meeting adjourned at 9:15pm.

Closed meeting set for February 27, 2024, at 7pm to discuss Real Estate Negotiations. Update: February 29, 2024, at 7pm.

Special Council Meeting March 5, 2024, at 7pm – continued discussion on N Halladay Sanitary Sewer project.

Next Regular Council Meeting March 11, 2024, at 7pm

Submitted Respectfully by:

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Susan Petty, City Clerk/Treasurer