

**SPECIAL CITY COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 1, 2022– 3:00 PM
COUNCIL CHAMBERS**

Council Members present: Lotvedt, Lunde, Bednarz, Brossart, LaRocque (by phone) and Trottier. Also present were Mayor Steinke, Auditor Stewart and Attorney Hartl. Absent were Berg and Kraft.

Mayor Steinke called the meeting to order at 3:00 pm.

Mike Hurly, city property owner, addressed the council regarding the sewer main that runs on the east side of his home, north and south, approximately two feet from his house. Hurly indicated that Lotvedt agreed it is a city main. The line runs from the manhole on 2nd St SE, south and is inside of the Hurly property boundary. Hurly explained that it is a city line on private property. He offered to give the city an easement for the sewer main on his property. Hurly explained that the oak tree near the sewer line should be tore down, as it may be causing problems with the sewer line. Hurly asked that the city fix the sewer main. He disclosed that he is not having sewer issues at his property. Hurly indicated that he was not aware of this issue prior to purchasing his home.

Barbra Austin, city property owner, lives directly south of Mike Hurly. Austin explained that since she purchased her property she has had sewer back up four times.

Hartl questioned if there is an easement to the city on the Hurly property. Hurly indicated that he has not seen an easement in his abstract. He acknowledged he would give the city an easement for the sewer line. Hartl questioned where Ms. Austin's sewer line was running. Hurly explained that they believe that there are two separate lines connecting the properties.

It is believed that the clay tile sewer main has collapsed and that roots are blocking the flow of sewage. Lotvedt believes that the sewer main was installed many years ago before there was curb and gutter and paved streets. This would help explain why the line is on the Hurly property.

Hurly explained that in 2020 he had backup in his basement. At that time he had the plumbing in his basement updated. He capped his sewer off then, so that he will not have backup in the future. Hartl questioned what the solution at this time is. Lotvedt wants the city to accept that the sewer line is a city main, even though it is located on private property. The council reviewed photos provided by Lotvedt of the line that has been uncovered. They do not know if each home is connected to the main or if the two homes share a sewer line.

Trottier suggested that the sewer line be moved off of the private property.

Hurly acknowledged that he is liable for the sewer line from his house to the main. Hartl explained that the city is liable for the sewer main. Lotvedt explained that it could be moved to the sidewalk area, whereas the boulevard has other utility wires located in it.

Steinke questioned if Austin and Hurly were aware that they are responsible for the costs incurred from the main to their property. Both agreed that they are aware that is how the city ordinance reads. There was a motion by Lotvedt to move 150 feet of city sewer main off the Hurly and Austin properties to the city owned property, under the sidewalk, so that the street

does not need to be torn up. Second by Brossart. Trottier questioned if the costs to date would be paid by the city because it was necessary to determine that the city main was the cause. Lotvedt amended his motion to include that the city would accept any expenses incurred up to this point because without doing this work, the city would not have been made aware of what was causing the problem. Brossart seconded the amendment, roll call vote, all voting yes, motion carried.

There being no further business to transact or come before the Council at this time, there was a motion by Brossart to adjourn the Council Meeting. Second by Bednarz, all voting yes, motion carried. Meeting adjourned at 3:30 p.m.

*These are unofficial minutes, subject to edits, and have not been approved by the city council.

DRAFT