

February 5, 2024

The regular meeting of the city council was called to order by Mayor Dave Witucki. Council members present were Tom Boeck, Gina Massop, Tiffany Sevcik and KC Reuter. Also present were Don Wolters, Patty Smith, Bruce Ward, Tom Graf, Brenda & Rod Urban, Aaron Lane, David Frundt, Tom Madden (SEH), Austin Jaeger (KLD Surveyors) and Tamara Dicks (Maple River Messenger).

Everyone stood and recited the Pledge of Allegiance.

**Minutes:** A motion was made by Reuter and 2<sup>nd</sup> by Massop to approve the minutes of the January 2, 2024, meeting. Motion carried unanimously.

**Bills:** A motion was made by Boeck and 2<sup>nd</sup> by Sevcik to approve the bills.

City of Amboy	11379 – 11427 & EFT's 864E-870E	\$213,810.62
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Smith had one additional bill from the League of MN Insurance \$2475.00, an increase for the reverse osmosis system. Motion carried unanimously.

The regular meeting was closed, and the Public Hearing was opened.

No comments from the public; hearing was closed, and regular meeting was reopened.

**Ordinance 146 Annexation of Property:** Austin Jaeger with KLD Surveyors was at meeting to answer any questions. Council asked if a sidewalk could be put in on the northside of Maine Street to make it safer for any residents walking to the proposed Dollar General. They will see if that can be put into the plans when they do the preliminary plot. There will be one entrance from Maine Street/Hwy 30. Council asked about size of piping for water and sewer; they will work with our public works department and follow what is needed. A motion was made by Boeck and 2<sup>nd</sup> by Massop to approve Ordinance 146 Annexing Land located in Shelby Township to the City of Amboy. Motion carried unanimously.

**RO Update:** Tom Madden – SEH reported the reverse osmosis system has been running since January 3. The antiscalant is still not working and that keeps the membranes clean. Maria, Josephs' Company, and H2O will be getting it to work this week. Madden will be sending a letter to H2O before end of project, to see what impact not using antiscalant for over a month will have on the life of the membranes. Madden recommends deducting money from pay requests if H2O does not get antiscalant working. The CIP (clean in place) will be done week of February 26 to make sure it works. Depending on when the antiscalant starts working, could make a difference to what we see with the CIP. The backordered control board for the CIP should be here this week and installed next week. Change Order #16 was presented to council by Madden for an extension of time for final completion to March 29, 2024. Substantial completion where it could be used as

intended. was done by January 5, 2024; we took the CIP out of this equation due to backorder of parts. which means the RO system was working. Final completion right now is February 9, 2024. Final completion means everything is done including the paint and dirt work. Final completion will not happen by February 9.

Madden says there are 3 things you pay for in a contract; 1. Work to be done, 2. Contractor risk, and 3. Schedule. Liquidated damage could be done if they do not meet the completion dates, but if you extend the timeline, they will not apply anymore. Liquidated damages are not meant for the city to make money but to recoup the costs that are extra. You could give them an extension because the cost of attorney and we had a 80/20 split with the state we would only be entitled to 20%.

Madden is recommending the council table the timeline extension until next meeting as there is still work to be done on the project. A motion was made by Massop and 2<sup>nd</sup> by Reuter to table Change Order 16 for final payment time extension. Motion carried unanimously.

Supplemental letter request from SEH for more funds. The project has ran over and SEH says their money ran out on December 15, 2023. They are proposing a per hour basis with an estimate of an additional \$12,000.00 needed to finish the project. Madden has an itemization of work done since December 15, 2023.

David Frundt, city attorney met with council in a closed meeting prior to the regular meeting. A discussion was held on the supplemental letter and no decisions were made.

A motion was made by Witucki and 2<sup>nd</sup> by Reuter, to have our attorney, David Frundt negotiate a supplemental letter agreement for the City of Amboy with SEH, without expenses and equipment utilization fees. Motion carried unanimously.

**Scales for Chemicals:** We need additional scales for the chemicals being used with the reverse osmosis system. Hawk – who supplies the chemicals quoted Force Flow for \$1375.00 and Ultrasonic tank Level for \$2483.00. Witucki said we need 2 additional scales for the fluoride and the phosphate. A motion was made by Boeck and 2<sup>nd</sup> by Reuter to approve the purchase of 2 Force Flow Scales at \$1375.00 each. Motion carried unanimously.

**Reports:** New toolbox is working well. Witucki suggested making the old city pickup into a flatbed; it could be set up with a trash pump and generator for emergencies. Council will consider it at a future meeting. Wolters is working on the required inspection of water connections from the Dept of Health. Smith is giving him a list of 15 contacts each week to have project done by end of May. Tour of Mountain Lake water department was interesting.

**Open Comment:** Wolters will talk to Tom Madden on antiscalant usage. Brenda Urban asked what the public hearing was about (it was to annex in land to the city for proposed Dollar General) and commented on water; was orange in November and cleared up in December and is very good now. Rod Urban agreed on the water and thinks the sidewalk on north side of road should be done also. Aaron Lane asked why we do not use Chlorine Dioxide instead of chlorine and why we put fluoride in the water. Witucki said we follow the mandates set by the Dept of Health. Sevcik asked who is responsible for dead animals on road and Wolters said let him know where and he can take care of it. Reuter had comment from former council person on how happy they are about the water and the good ice cubes and water quality. Smith had a request from C & H Sports to lock the recreational area until they can paint in mid-May. The mud/dirt brought onto the asphalt could make the surface painting not last as long. Council requested it be locked with notices posted to let residents know why. Witucki said we had first quarterly radium sample taking by Dept of Health in January, it will take 5-6 months to get the results and we will need 4 good samples before we can go back to annual testing for radium.

**Miscellaneous:** Fire Department meeting with council/townships is February 20, 2024  
Next council meeting is March 11, 2024

A motion was made by Massop and 2<sup>nd</sup> by Reuter to adjourn the meeting. Motion carried unanimously.

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Dave Witucki, Mayor

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Council

ATTEST:

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Patty Smith, Administrator, Clerk-Treasurer