

Fertile City Council Minutes Special Meeting August 26, 2021

The Fertile City Council held a special meeting on Thursday, August 26, 2021 at 6 p.m. at the Community Center. Present were: Mayor Daniel Wilkens and Council members Stanton Wang and Todd Wise. Also present was City Administrator Lisa Liden, Joel Sellin from Sellin Brothers, Todd Young with Classic Concrete, and Twylla Altepeter from the Fertile Journal. The purpose of the meeting was discussion of the issue with the sidewalk on the north side of the school.

The meeting was called to order at 6:15 once there was a quorum present and the meeting began with the reciting of the Pledge of Allegiance.

Mayor Wilkens began discussion of the sidewalk issue by asking Joel Sellin how much retainage the City was still holding from the 2019 water and sewer project. Sellin stated that it was a little more than \$57,000. Administrator Liden reminded those present that Sellin had offered for the City to keep \$5,000 for the sidewalk issues and that the City had requested keeping \$25,000.

Mayor Wilkens then talked about the MnDOT specifications for the concrete and stated that the specs don't adequately address the shale from one pit that has caused issues in the sidewalks in several other towns in the area. Wilkens felt that the pit should no longer be used. Wilkens went on to state that he was very familiar with Sellin Brothers and had worked with them for several years on various projects. He was always quite satisfied with the work they had done in the past and he didn't want to ruin the relationship that the City had with Sellin based on this issue when it was due to something outside of their control.

Todd Young from Classic Concrete explained about the distance issue with getting shale from another pit. The State specs only allowed an hour of travel time with the concrete and there weren't other pits in the area that would allow for that. This was followed by a discussion on where there were other pits in the area and which ones Classic Concrete preferred using.

Administrator Liden stated that the city had a local concrete company, Swenby, look at the pitting on the school sidewalk and that Swenby had quoted \$5,000 to do an epoxy repair. Swenby had stated that the repair would likely have to be done twice to get all of the pits taken care of. Liden explained that the \$10,000 to repair the sidewalk and then \$15,000 for the poor aesthetics of the sidewalk were the reason the city had asked to keep \$25,000 of the retainage.

This was followed by further discussion on the State specs for concrete. Joel Sellin said that they usually don't allow for a deduction of the retainage for issues such as these where the specs were met. He noted also that Lakes Concrete Plus who had supplied the aggregate had walked away from the issue and was unwilling to pay any compensation to the City for the problem.

Todd Young indicated that he would talk to his usual supplier, Kost, to see if they had any leverage with Lakes to see if they would be agreeable to paying out some cash so the City would get more than the \$5,000 from Sellin. Discussion was held on when the matter could be finalized and whether the City should agree to the \$5,000 now or wait for further word from Classic Concrete.

After discussion of the matter, Council member Wise made the motion to accept the \$5,000 from Sellin and any extra that Lakes would be willing to pay. The motion was seconded by Council member Wang and was carried.

The meeting was adjourned at 7:05 on a motion by Council member Wise.

Daniel Wilkens, Mayor

Lisa J. Liden, City Administrator