



Microphones will be muted and webcams will be turned off for presenters and members of the public unless called upon to speak.

If participant(s) disrupt the meeting, the participant(s) microphone and webcam will be turned off.

If disruption continues, the participant(s) will be removed from the meeting.

*This meeting is being recorded for public review on the City of Millersburg website.*

## **CITY COUNCIL SPECIAL MEETING & EXECUTIVE SESSION**

**Electronic Meeting**

August 23, 2021 @ 4:00 p.m.

### **Agenda**

**This meeting will be held remotely. Instructions for joining the meeting can be found at <https://www.cityofmillersburg.org/citycouncil/page/city-council-special-meeting-executive-session>. If you do not have access to a phone or computer, or need additional support, please contact City Hall prior to 2:00 p.m. on Monday, August 23.**

**Meeting link to join via computer:**

**<https://aspenuc.accessionmeeting.com/j/1168673966>**

**Phone number to join meeting: 503-212-9900**

**Meeting ID: 116 867 3966**

- A. CALL TO ORDER
- B. ROLL CALL
- C. RECESS FROM SPECIAL COUNCIL MEETING
- D. CONVENE INTO EXECUTIVE SESSION  
**ORS 192.660(2)(h): Consultation with legal counsel regarding the legal rights and duties of a public body with regard to current litigation or litigation to be filed.**
- E. RECONVENE INTO SPECIAL COUNCIL MEETING  
To take any final action regarding any matter from the Executive Session.
- F. ADJOURNMENT

**RESOLUTION NO. 2021-14**

**A RESOLUTION DIRECTING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH CH2M HILL, INC. REGARDING CLAIMS RELATED TO A WASTEWATER TREATMENT TECHNOLOGY**

WHEREAS, Albany filed claims against CH2M HILL, Inc. arising from a wastewater treatment technology in Linn County Circuit Court Case No. 17CV53215; and,

WHEREAS, Millersburg is a joint owner with Albany in the wastewater treatment facility involved with the wastewater treatment technology; and,

WHEREAS, Millersburg has joined Albany in Linn County Circuit Court Case No. 17CV53215; and,

WHEREAS, Albany, Millersburg, and CH2M HILL, Inc. have conceptually agreed to a settlement of all claims related to a wastewater treatment technology; and,

WHEREAS, the Millersburg City Council believes it is in the citizens' best interest to enter into a Settlement Agreement to be prepared by the City's attorneys.

NOW, THEREFORE, BE IT RESOLVED that the Millersburg City Manager is hereby authorized to execute a Settlement Agreement prepared by the City's attorneys related to the settlement of all claims regarding the wastewater treatment technology.

Effective date: This Resolution shall be effective upon its approval and adoption.

Duly passed by the Council this 23<sup>th</sup> day of August, 2021.

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Jim Lepin  
Mayor

ATTEST:

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Janelle Booth  
Assistant City Manager/City Engineer