

From: Paul Williams <pandvwilliams@msn.com>
Sent: Wednesday, December 14, 2022 10:43 AM
To: HEATH Anne <anne.heath@ci.coburg.or.us>
Subject: Domestic Water

Hello Anne,

I have been following the correspondence between you and Lisa and Catherine regarding our domestic water.

To be frank, I am shocked at how the city (not you) is jerking us around. Just to refresh you on the facts.

1. The City of Coburg promised us that we would get domestic water the year after we were annexed.
2. The city required that we hook up to the city sewer and we were promised that we would get domestic water in the next spring.
3. We were told we would be hooked up last spring.
4. We were told we would be hooked up this fall.
5. Now we are being told that we will perhaps be hooked up by next fall.

I am gathering all our emails with the trail of broken promises and will be sending it to our attorney. I think we have a case against the city for failure to uphold its end of the bargain that all started on the premise that we would be hooked up to the city water the summer after the annexation. In the meantime we have had to drill an additional well to meet our needs and we have had to repair the link to the Property to our south that is outside the city limits which was sold To the Wildfangs. Bottom line is that we have spent thousands of dollars to keep up with our water needs and the city has not delivered on its promised water.

I am not a litigious person but I am informing you and the city council that we see no alternative but to engage the city with a lawsuit for specific performance. There is ample written evidence that the city has sent me that water was to be installed and that we should hire an engineer to design for the hook up. Fundamentally I feel the city did a bait and switch with me initially when we were annexed and the same has happened multiple times since. The alternative to a lawsuit would be for the city to pay for another well on our property that would be exclusively for potable water for our facility and we would be released from the requirement to hook up to city water at some mythical future date.

I look forward to a formal response from the city council.

Regards,

Paul Williams
Premier RV Resorts, LLC
Eugene Premier RV Resort, LLC
Managing member

*Response by City attached

12/15/2022

Anne Heath, City Administrator, Emailed response

Paul,

Thank you for your patience in my response. I have worked hard at building a relationship with yourself and Premier RV. I wish that you would have picked up the phone rather than send this email. Perhaps we could have talked through some of the facts as I think there are some misunderstandings.

Three years ago we sat with you and let you know that water was coming. Your team was very patient and said you would wait until it came to you when the annexation went through and the water line was installed.

The water is across the freeway and within 300 feet of your property now. We completed that last year.

Last summer your team reached out to me and said they had a concern regarding water. They shared it was not immediate but they felt that we should move it forward.

I hired our engineers and paid the bill for them to prepare Delineation and Removal reports and permits and we submitted to the state. The City paid all of the costs for this. This would normally be paid by the property owner who wants to hook up. These were prepared and submitted to the state in November. The state has 120 days to approve these permits. We did this based upon your teams concerns and to have the ability to hook you up quickly should the need arise prior to the water line going through.

We discussed with your team the option to hook up at the south end and that is why we went ahead and got the permits submitted so that if you wanted to do so, it would be available. I then heard from your team that they were back into the wait for it to make it to the middle of your property.

We suggested that you begin working with an engineer to design your hook up. I last heard from Catherine last week that you were trying to put together a contract with an engineer. I told her we were still waiting for permits to be approved from the state and asked the developer and our engineer to also provide where we are on this. We are all in the same place, waiting on the state. However, they have 120 days to respond to our requests so if the developer submitted at the same time, we should all here back no later than March. I hope sooner. It will take your engineer that long to design your hook up, I'm assuming.

Having the City drill an additional well for you is not an option as it is against state law. While you do not have water service available to you, you can continue to utilize your well. However, once water is available, you must hook up and discontinue the potable use. So, even our City Council can't make that happen for you.

You can begin the process of hooking up at this time with engineer design and hook up to the south end of your property as soon as the permits are made available by the state. Or, you can wait for the developer to also get his permits at which point he will also have the ability to run the water line and hook up at the middle of your property. That choice has not changed.

If you feel that the City has a responsibility to hook you up to the water, then that is something that I suggest that you bring to the City Council and give them a fair chance to respond. They are good and reasonable people.

I understand you are frustrated Paul and I can't fix what happened prior to my team's time at the City. We are trying very hard to get you water as we promised you. However, our actions have been based upon your team's input and responses.

The water is there now. You only need to decide how you will hook up to it.

As always, if you would like to come in and talk this through, I am available to you at your convenience.

As you have asked for your email to go to the City Council, they will receive it in their packet in January. If you would like to address them personally, I can help you get on to their agenda.

Anne L. Heath
City Administrator
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