

## Sewer settlement going to judge for OK

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The Marathon City Council on Tuesday approved the parameters of a final settlement in a long-running sewer-fees lawsuit with the Key RV mobile-home park.

The two sides reached court-mediated settlement on Sept. 21 and at least 60 percent of the park's 201 homeowners voted in favor of it at an Oct. 17 Key RV board meeting. That left things in the council's hands, and it finally took action Tuesday evening.

"We have been working with the plaintiff's representatives to reach this. I am here to tell you this reflects all the comments and directions you've given us over the last couple month. If approved, it will give us an ability to draft a final settlement," City Attorney John Herin said.

Now the deal goes to County Court Judge Ruth Becker for approval.

Councilman Pete Worthington was the council's liaison for negotiations between the city and the park owners. He supported approving the letter of intent Tuesday.

"I think we hammered out something good for both sides. I'm going to support this and move forward getting this issue resolved," he said.

According to a copy of the packet the park's board sent out to owners detailing the settlement:

The city agrees to install and pay for a sewer system and be responsible for connecting it to a U.S. 1 connection point. No part of the current system will be reused. After the new system is complete, Key RV will be permitted to inspect and take ownership of the system.

Key RV will operate and maintain the system.

Paying for the lateral connection from each unit to the new system will be the responsibility of individual owners. However, the park board plans to use its reserve funds to pay for laterals not covered by grant money.

The connection fee will be \$1,049 for each owner, as it is for each single-family homeowner in Marathon.

The lawsuit boils down to whether it's legal to charge Key RV's individual owners the same sewer fees as other equivalent dwelling units in the city based on the form of ownership. The mobile-home park switched to a condominium form of ownership in 2004.

Single-family homeowners in Marathon pay a combined \$5,700 per equivalent dwelling unit; that represents the connection fee and a system development charge, which is what Key RV residents will pay.