

The City Council of the City of Anamosa met in a Special Session this December 7, 2009 in the Meeting Room at the Anamosa Library at 5:30 p.m. with Bill Feldmann, Brian Harmon (arrived at 5:44 p.m.), Dennis Hansen, Brady Reynolds and Tom Swisher present. Absent: Danny Young. Mayor Jon Hatcher presided. Also present were Patrick Callahan, City Administrator, Larry Driscoll, Public Works Director, Adrian Knuth, City Attorney and Dave Stoklasa, Snyder & Associates. Guests Present, addressing the Council – Dale Monroe, Barney Dirks, Alice Bramer, Allen Rush and Linda Roling. Mayor Jon Hatcher called the special meeting to order at 5:30 p.m. with a quorum present.

Report from City Attorney on Appeal Filed by the Anamosa Community School District

City Attorney, Adrian Knuth addressed the Council stating that the Anamosa Community School District has filed an appeal to the district court on the Zoning Board of Adjustment's decision to deny the special exception permit for the expansion of the High School. Mr. Knuth reviewed the basis of their appeal. He also stated that in his opinion the City does have the ability to regulate the expansion of the school and can require a special exception permit for an existing special accepted use, unless there is a special exception permit already on record that permits the expansion. Mr. Knuth stated that the ZBA voted to defend their decision at their December 3, 2009 meeting.

Dale Monroe stated that the School District thinks that ZBA used the wrong criteria to decide the question of whether to issue a special exception permit. He said that the School Board is seeking a clarification on the issue.

Barney Dirks, Chair Person of ZBA stated that his vote to deny the permit to the School was based on the following:

- 1) The size of the addition being too large for the site.
- 2) Concerns on snow drifting for adjacent property owners.
- 3) Traffic issues.
- 4) Parking in the neighborhood
- 5) Bus traffic in the neighborhood
- 6) Lack of clarity on the plan

Alice Bramer stated that she had concerns regarding the drainage and the lack of a final plan. Allen Rush expressed concern regarding bus traffic and parking. Linda Roling expressed concerns regarding parking.

Adrian Knuth summarized his questions and asked the Council for direction regarding the City's response to the School District's appeal. Discussion followed.

Motion by Feldmann, second by Harmon to direct the City Attorney to defend the ZBA's decision, as appealed by the School District and to continue to represent the City and ZBA on the case. 1-Naye, Reynolds. All Remaining Ayes. Motion Carried.

East Cedar Street Sanitary Sewer Repair Project

Larry Driscoll explained the need to repair the sanitary sewer line starting at East Cedar Street. He explained that two houses and two garages had been built over the sewer line and that the City would have to bore a new line. The sewer line was installed in the 1960's prior to the homes being built.

There was discussion as to whether to install a 6" sewer line or an 8" sewer line, but small sections were 8" sewer lines. A 6" sewer line was adequate for the current flow. Consideration was given to installing an 8" sewer line, but this option would require the need to involve an engineer for the project and would be more costly.

Motion by Feldmann, second by Harmon to proceed with the replacement of the sanitary sewer line south of East Cedar Street with a 6" sewer line using the boring proposal submitted by Delancey Electric for \$28,220. All Ayes. Motion Carried.

Anamosa Flood Protection Report

Dave Stoklasa reviewed the Flood Protection Report created by Snyder & Associates. Discussion followed. No action was taken at this time.

Accepting Resignation of Police Chief

Motion by Feldmann, second by Reynolds to accept the resignation of Police Chief, Matt Menard effective January 5, 2010. All Ayes. Motion Carried.

Adjournment

Motion by Reynolds, second by Harmon to adjourn at 8:05 p.m. All Ayes. Motion Carried.

Jon Hatcher, Mayor

ATTEST:

Tammy Coons, City Clerk