

Board Minutes
November 17, 2015

The Board of Trustees met in regular session with Chairman Michael J. Wallner and Trustees Carl L. Heinrich, Martin L. Brooks, Maureen R. Kruse and Caitlin A. Beresford. Staff Present: CEO & General Manager Drumme, Administrative Manager Wisniski, Staff Engineer Cady, and Administrative Assistant Powell.

I. The Chairman called the meeting to order at 4:30 p.m.

II. Public Comments/Participation

The Chairman asked if there were any public comments or participation.

1. Greg Montgomery, 116 Discovery Circle, Carolyn Durrant, 120 Discovery Circle, Diane Stogdill and Jack Stogdill, 121 Discovery Circle, individually and as a group addressed the Board concerning, as he described, a cavity that has developed under sidewalks in their neighborhood.

Mr. Montgomery, on behalf of the group, explained that a cavity had developed within the City right-of-way under the sidewalk in front of the houses on the north and west side of Discovery Circle. The group believes that the cavity started due to improper compaction related to the water main installation twelve (12) years ago. Mr. Montgomery presented documentation to support his claim.

(1) Trustee Brooks moved to receive and file documentation referencing the cavity under the sidewalk in the Discovery Circle neighborhood. Trustee Heinrich seconded the motion. The motion carried unanimously.

The general manager explained the Water Works' current understanding of the issue. The Council Bluffs Public Works Department requested the Water Works to look into the situation. He stated that upon numerous inspections the water main trench appeared to be intact and that no exposure of the water main was seen. Water Works also checked the main for leaks, and none were found. He also stated that there are other utilities located underneath the sidewalk and the water main is not underneath the sidewalk. The project was completed by a private developer and the private developer's contractor installed the water main per plans and specifications and compaction tests were taken as part of the project. Therefore, the Water Works believes that the cavity was not due to the water main trench and should not take responsibility for other undetermined cause(s).

The general manager also stated that there has been no claim filed against the Water Works for damages. He indicated that if a claim were to be filed, based on the Water Works investigation, we would deny it. The Board Chairman asked, if there is only one person that filed a claim with the City so far. Mr. Montgomery responded, yes.

The general manager stated the cavity is not getting better and the position of the Water Works is something needs to be done before the cavity gets worse.

Mr. Montgomery stated that his neighbor, the Bader's (not present) were working through a claim with Council Bluffs Public Works Department. Mr. Montgomery stated that the Bader's were not moving forward with any repairs because the claim is still in contention.

The general manager indicated he would talk to the City to see how the claim was progressing along. Documents that were provided by Greg Montgomery will be reviewed.

III. Public Hearing

1. The Chairman stated this is the time and place for a public hearing on the proposed Calendar Year 2016 Budget. The Chairman asked if any written protest or comments were received? The secretary advised there were no written protest or comments. The Chairman asked if there was anyone present to speak for or against the budget? Receiving no response the Chairman closed the public hearing.

(1) Trustee Kruse moved to adopt resolution 11-28-15 on the budget for the Calendar Year Ending December 31, 2016. Trustee Brooks seconded the motion. Following discussion the Chairman called for a roll call vote. The roll call vote was as follows:

Aye: Trustee Heinrich, Trustee Brooks, Trustee Kruse, Trustee Wallner, and Trustee Beresford. The Chairman announced the resolution duly adopted. A copy of the resolution follows these minutes and by reference is made a part thereof.

2. The Chairman stated this is the time and place for a public hearing on the proposed plans, specifications, form of contract and estimated cost for the construction and installation of North

Broadway Water Main Improvements. The Chairman asked if there were any written protests or comments received? The secretary advised there were no written comments or protests received. The Chairman asked if there was anyone present to speak for or against the project. Receiving no response the Chairman closed the public hearing.

(2) Trustee Heinrich moved to adopt resolution 11-29-15 on the proposed plans, specifications, form of contract and estimated cost for the construction and installation of North Broadway Water Main Improvements. Trustee Kruse seconded the motion. Following discussion the Chairman called for a roll call vote. The roll call vote was as follows:

Ayc: Trustee Heinrich, Trustee Brooks, Trustee Kruse, Trustee Wallner, and Trustee Beresford. The Chairman announced the resolution duly adopted. A copy of the resolution follows these minutes and by reference is made a part thereof.

IV. General Manager's Report

1. Project Status Report.
2. Main Extension Status Report.
3. Operations.
4. 2015 Financials Update through October.
5. SRF Land Purchase Loan.
6. Insurance Claims.
7. Regulatory.

V. Consent Agenda

1. Approval of the minutes of the October 20, 2015 regular meeting.
2. Claims Register.
3. Monthly Report.

Trustee Heinrich motioned and Trustee Beresford seconded to approve the consent agenda. The motion carried unanimously.

VI. Action Items

1. Trustee Heinrich moved to adopt resolution 11-30-15 providing for an increase in water rates charged by the City Water Works of the City of Council Bluffs, Iowa. Trustee Kruse seconded the motion. Following discussion the Chairman called for a roll call vote. The roll call vote was as follows:

Ayc: Trustee Heinrich, Trustee Brooks, Trustee Kruse, Trustee Wallner and Trustee Beresford. The Chairman announced the resolution duly adopted. A copy of the resolution follows these minutes and by reference is made a part thereof.

2. Trustee Kruse moved to adopt resolution 11-31-15 authorizing the Chairman and Secretary to sign a Main Extension Agreement with TS Development, LLC for the Whispering Oaks Subdivision Water Main Improvements and Authorizing Project Design. Trustee Beresford seconded the motion. Following discussion the Chairman called for a roll call vote. The roll call vote was as follows:

Ayc: Trustee Heinrich, Trustee Brooks, Trustee Kruse, Trustee Wallner and Trustee Beresford. The Chairman announced the resolution duly adopted. A copy of the resolution follows these minutes and by reference is made a part thereof.

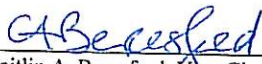
3. The Chairman asked if there were other items to come before the Board.

(1) The general manager discussed with the Board that he was contacted by the Council Bluffs Community Schools District Superintendent, Martha Bruckner about the possibility of waiving the Water Work's Capital Facilities Fees for the Sports Complex that is being developed.

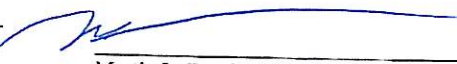
4. The Board set the date of the next meeting as December 15, 2015 at 4:30 p.m.

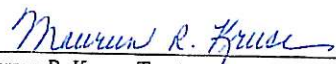
VII. There being no further business the Chairman adjourned the meeting at 5:32 p.m.

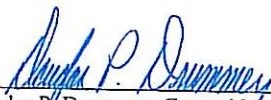

Michael J. Wallner, Chairperson


Caitlin A. Beresford, Vice-Chairperson


Carl L. Heinrich, Trustee


Martin L. Brooks, Trustee


Maureen R. Kruse, Trustee


Douglas B. Drumme, General Manager


Celestine Powell, Recording Secretary