

(The following is a synopsis of the minutes of the West Branch City Council meeting. The full text of the minutes is available for inspection at the City Clerk's office. The minutes are not approved until the next regularly scheduled City Council meeting.)

**West Branch, Iowa
Council Chambers**

**City Council
Meeting**

**June 2, 2014
7:00 p.m.**

Mayor Pro Tem Miller opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, Administrative Assistant Shanelle Peden, Library Director Nick Shimmin, Parks & Recreation Director Melissa Russell, Police Chief Mike Horihan, Public Works Director Matt Goodale, Zoning Administrator Paul Stagg, Zoning Board of Adjustment Chair Craig Walker, City Attorney Kevin Olson, and City Engineer Dave Schechinger. Council members: Jordan Ellyson, Colton Miller, Tim Shields, and Mary Beth Stevenson. Mayor Mark Worrell and Councilperson Brian Pierce were absent.

APPROVE AGENDA/CONSENT AGENDA

- a. Approve minutes from the May 19, 2014 City Council Meeting.
- b. Approve claims.
- c. Approve street closures for Hoovers Hometown Days.
 - i. 2nd Street from Main Street to the Water Street Parking Lot from 5:00 p.m. on Friday August 1, 2014 to 1:00 a.m. on Sunday August 3, 2014.
 - ii. Main Street from Parkside Drive to 2nd Street from 12:00 a.m. on Saturday August 2, 2014 to 12:00 a.m. on Sunday August 3, 2014.
 - iii. Main Street from Parkside Drive to Poplar Street from 9:45 a.m. to 5:00 p.m. on Saturday August 2, 2014.
 - iv. N. Downey Street from Main Street to Green Street from 9:45 a.m. to 5:00 p.m. on Saturday August 2, 2014.
 - v. Approve Change Order Number One, increasing the contract amount by \$416.63 to Visu-Sewer, Inc. for the West Branch Sanitary Sewer Rehabilitation – Phase 1.
 - vi. Approve Change Order Number Two, increasing the contract amount by \$2,550.00 to Visu-Sewer, Inc. for the West Branch Sanitary Sewer Rehabilitation – Phase 1.
 - vii. Approve payment to Visu-Sewer, Inc. in the amount of \$121,432.14 for Partial Pay Estimate No. 1 Sanitary Sewer Rehabilitation – Phase 1.

Motion by Shields to approve, second by Ellyson. AYES: Shields, Ellyson, Miller, Stevenson. NAYS: None. ABSENT: Pierce. Motion carried.

Date 6-2-14

City of West Branch
Claims Register Report

Blue Cross Blue Shield	Health & Dental Insurance	11,113.97
Dearborn National Insurance	Life Insurance	56.95
EFTPS	Federal Withholdings	5,647.83
Iowa Department Of Revenue	Payroll Expense	754.00
Iowa League Of Cities	Admin - 2014 Small City Workshop Fee	105.00
IPERS	IPERS	7,510.17
Mediacom	Cable - Service	40.90
Payroll Expense	Payroll Expense - 5-23-14	24,654.64
QC Analytical Services LLC	Water -Training Conference Fee	125.00
Treasurer State Of Iowa	State Withholding Tax	2,046.00
WageWorks	Flex – HCFSA 2013 & 2014	825.55
	Grand Total	52,880.01

Fund Totals

001 General Fund	22,481.91
031 Library	5,130.30
112 Trust And Agency	11,457.95
600 Water Fund	7,041.42
610 Sewer Fund	5,942.88
950 BC/BS Flexible Benefit	825.55
Grand Total	52,880.01

COMMUNICATIONS/OPEN FORUM

Shimmin stated that summer programming has begun at the library with incentives offered to both youth and adult programs. Shimmin also stated that a free movie will be shown Saturday evening for anyone interested in attending.

PUBLIC HEARING/NON-CONSENT AGENDA

Mayor Pro Tem Miller-Appointment of Joshua Meade as a West Branch Police Department Reserve Officer
Horihan introduced Joshua Meade. Horihan noted that Meade will complete and pay for his own training. Horihan added that Meade received an honorable discharge from the United States Marines, and that Meade will be present during Hoover's Hometown Days. Shields asked where Meade was originally from, in which Meade responded, Atalissa.
Motion by Ellyson to approve Joshua Meade as a Reserve Officer I, second by Shields. AYES: Ellyson, Shields, Miller, Stevenson. NAYS: None. ABSENT: Pierce. Motion carried.

Approve Class C Liquor License with Living Quarters, Outdoor Service and Sundays Sales Permits for Pamela Miller, DBA: Greenview Cocktail Club

Shields asked if this was a change in ownership versus the previous owner. Olson responded that this is a new owner, and she has met the requirements set forth per licensing. Miller asked Horihan if he was comfortable with the new ownership, in which Horihan replied that he was.

Motion by Stevenson to approve Class C Liquor License for Greenview Cocktail Club, second by Shields. AYES: Stevenson, Shields, Ellyson, Miller. NAYS: None. ABSENT: Pierce. Motion carried.

First Reading of Ordinance 724, amending Title Chapter 69 “Parking Regulations.”

Ellyson asked Horihan if the proposed change is significant. Horihan noted that this ordinance will help ensure better visibility. Shields asked what type of enforcement would take place. Muckler noted there would be signage for area, and that enforcement is at the discretion of the police department. Horihan indicated that he understands it may take around thirty days for drivers to adhere to the no parking.

Stevenson asked that letters be sent to residents at the time of the third reading of the ordinance.

Motion by Stevenson to approve Ordinance 724, second by Ellyson. AYES: Stevenson, Ellyson, Miller, Pierce. NAYS: None. ABSENT: Pierce. Motion carried.

Public Hearing on proposed amendment to Section 165.26 of the West Branch Zoning Ordinance

Miller opened the public hearing at 7:17 p.m. Sally Peck, 223 N Downey Street, stated that by allowing a special exception clause, it could bring a different character to a neighborhood. Peck also stated that by allowing the Board of Adjustment discretion in policy, it could lead to spot zoning. Peck concluded her statements by saying that the City could be subject to possible litigation due to lack of standards. Zoning Board of Adjustment Chair Craig Walker, 244 Pedersen Street, spoke in favor of amending Section 165.26, noting that the amendment helps provide language for the Board of Adjustment to consider requests not noted in the Code which do meet key criteria. Walker also emphasized that this amendment is added responsibility for the Board of Adjustment. Kate Cox, a local attorney who felt that she is the individual who initiated this process, indicated that her purpose is to operate a law practice where a majority of the work involved would not include vehicle traffic. With no further comments, Miller closed the public hearing at 7:29 p.m.

First Reading of Ordinance 725, amending Chapter 165 “Zoning Regulations.”

Stevenson acknowledged Peck’s comments, saying she understands the future impact this could have on a neighborhood. Stevenson asked if language could be added to designate a specific number of employees allowed. Ellyson asked if the special exception could be evaluated by the City and if business grade levels can be developed. Olson noted that language created could not cover everything, but additional language could be incorporated. Shields echoed that statement, and felt it is important to trust the Board of Adjustment’s decisions. Miller thought the language in the current ordinance was too general and felt it may be detrimental to a decision made by the Board of Adjustment. Stevenson asked if language could be added to include number of employees, signage, parking, and client traffic. Miller and Ellyson both noted that property owners still have to follow City ordinances, regardless of what occurs. Miller asked if a special exception would cause a change to the taxes derived from a property. Olson confirmed that the county assessor would have discretion as to how taxes are assessed and that properties are taxed by their use, not their zoning designation.

Motion by Ellyson to postpone Ordinance 725 to the June 23, 2014 Council meeting, second by Stevenson. AYES: Ellyson, Stevenson, Miller, Shields. NAYS: None. ABSENT: Pierce. Motion postponed.

Public Hearing on the proposed Amended and Restated West Branch Urban Renewal Plan

Miller opened the public hearing at 7:44 p.m. With no comments from the public, Miller closed the public hearing at 7:45 p.m.

Resolution 1198, approving and adopting an Amended and Restated Urban Renewal Plan for the West Branch Urban Renewal Area

Motion by Ellyson to approve Resolution 1198, second by Shields. AYES: Ellyson, Shields, Miller, Stevenson. NAYS: None. ABSENT: Pierce. Motion carried.

Resolution 1204, hiring Kassie Bailey as a Park & Rec Department Part-Time Seasonal Employee for the City of West Branch, Iowa and setting the salary for the position of the fiscal year 2013-2014

Russell introduced Bailey to the public, noting that she has a degree in Elementary Education, and has substitute-taught at both West Branch and Solon Community School Districts.

Motion by Stevenson to approve Resolution 1204, second by Shields. AYES: Stevenson, Shields, Miller, Ellyson. NAYS: None. ABSENT: Pierce. Motion carried.

Resolution 1205, approving an agreement with FEH Associates Inc. in the amount of \$11,800 for pre-funding schematic design services for the West Branch Community Center Building Plan Project

Muckler noted that letters were sent to three firms with previous experience on these types of projects. Shields asked how many projects FEH Architects has completed. Muckler responded that FEH had previously worked on several similar projects and was the lowest cost presented. Shields asked if this was the same firm that was present during the April 24, 2014 charrette and Muckler confirmed that they were. Stevenson noted that she was impressed with the FEH designs on prior projects. Miller asked about the project schedule presented by FEH. Muckler responded that the Parks & Rec Steering Committee recommendations are to focus on phase one, yet also show voters the future direction and phases. Muckler noted that HBK would be presenting at the Strategic Park Plan findings at the June 23, 2014 Council meeting.

Motion by Stevenson to approve Resolution 1205, second by Shields. AYES: Stevenson, Shields, Ellyson, Miller. NAYS: None. ABSENT: Pierce. Motion carried.

CITY STAFF REPORTS

Main Street Executive Director Mackenzie Krob – Music on the Green Concert Series

Krob was not present, however, Muckler noted that the series takes place in the Village Green on Thursdays in June at 7:00 p.m. Muckler added the first concert begins this Thursday.

Deputy City Clerk Dawn Brandt – International Institute of Municipal Clerks Annual Conference

Muckler noted that Brandt was unable to attend, and that she would have the information available at the June 23, 2014 meeting.

Administrative Assistant Shanelle Peden – Iowa League of Cities Annual Conference Registration and Reservations

Peden noted that the annual league conference would be taking place in Council Bluffs, Iowa on September 24-26, 2014, and that registration has opened. Peden asked that interested Mayor and Council contact her by June 6, letting her know who would be attending in order to ensure conference and hotel reservations. Muckler added that the annual league conference is the final in the five-part Municipal Leadership Academy series that began back in January. Stevenson noted that many elected officials also have full time jobs, which could conflict with attendance.

Park & Rec Director Melissa Russell – Summer Calendar

Russell noted that the parks & rec calendar is now available on the group's website. Russell noted it includes activities throughout the City, not just City activities. Russell added that this will help reduce call volume and provide a central location for information. Shields asked if this same information could be placed in the local newspaper.

City Engineer Dave Schechinger – West Main Street Traffic Study Update

Schechinger noted that he received a draft copy of the report from Metropolitan Planning Organization this afternoon. Schechinger added that he will be attending the meeting on June 3, 2014 at 10:00 a.m. with stakeholders. Schechinger concluded his remarks with the items for review including speed limits, Cedar-Johnson Road, the new proposed layout at West Branch High School, and the Meadows Subdivision.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Ellyson remarked that the flashing beacons on West Main Street are working well. Miller asked when the cones at the intersection of Main and 4th Street would be removed. Stagg mentioned that Visu-Sewer has completed correcting the area around the manhole, and that he would be removing the cones later that evening. Olson noted that the North Maple Street project looks nice. Miller echoed the same sentiments for East Green Street. Shields thanked the public for their attendance and feedback at the two public hearings held this evening.

Motion to adjourn to executive session to evaluate the professional competency of an individual whose performance is being considered as part of an annual review process and that individual requests a closed session pursuant to Section 21.5(i) of the Code of Iowa.

Motion by Ellyson to adjourn to executive session at 8:07 p.m. and second by Shields. AYES: Ellyson, Shields, Miller, Stevenson. NAYS: None. ABSENT: Pierce. Motion carried.

Motion by Stevenson to adjourn from the executive session at 8:28 p.m. and second by Ellyson. AYES: Stevenson, Ellyson, Miller, Shields. NAYS: None. ABSENT: Pierce. Motion carried.

ADJOURNMENT

Motion by Ellyson to adjourn the city council meeting, second by Shields. Motion carried on a voice vote. City Council meeting adjourned at 8:30 p.m.

Colton Miller, Mayor Pro Tem

ATTEST: _____
Matt Muckler, City Administrator/Clerk