

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

**August 3, 2015
7:00 p.m.**

Mayor Pro Tem Miller opened the West Branch City Council meeting at 7:00 p.m. by welcoming the audience and the following City staff: City Administrator Matt Muckler, Police Chief Mike Horihan, Police Sergeant John Hanna, Park & Recreation Director Melissa Russell and City Attorney Kevin Olson. Council members: Jordan Ellyson, Colton Miller, Brian Pierce, Tim Shields and Mary Beth Stevenson.

Mayor Pro Tem Colton Miller asked the Council, staff and members of the audience to stand and led the group in the Pledge of Allegiance.

APPROVE AGENDA/CONSENT AGENDA

- a. Approve minutes from the July 20, 2015 City Council Joint Work Session with the West Branch Community School District Board of Directors.
- b. Approve minutes from the July 20, 2015 City Council Meeting.
- c. Approve claims.
- d. Resolution 1371, approving a rope demonstration agreement in the amount of \$200.00 for the Hoover's Hometown Days Celebration on August 8, 2015.
- e. Resolution 1372, approving an agreement with Great River Brooms in the amount of \$203.57 for the Hoover's Hometown Days Celebration on August 8, 2015.
- f. Resolution 1373, approving an amended special event lease agreement with M&M Golf Cars, LLC of Bettendorf, IA in the amount of \$627.00 for use during the Hoover's Hometown Days Celebration from August 7-8, 2015.
- g. Resolution 1380, approving the payment for installation of a new banner on Main Street for the 2015 Hoover's Hometown Days Celebration in the amount of \$1,329.89.
- h. Approve amended Class C liquor license for Herb n' Lou's Ltd. DBA: Herb N Lou's to allow outdoor service privilege on August 8, 2015 for Hoover's Hometown Days.
- i. Approve Class C Liquor license with Outdoor Service and Sunday Sales permit for Casa Tequila Foods 3, Inc. DBA Casa Tequila Authentic Mexican Grill.
- j. Approve Class C Liquor License with Outdoor Service and Sunday Sales for Thirsty on 30 Inc. DBA Thirsty on 80.

Motion by Ellyson to approve the agenda/consent agenda, second by Pierce. AYES: Ellyson, Pierce, Miller, Stevenson, Shields. Motion carried.

Date 7-20-15	City of West Branch Claims Report	
Baker & Taylor Inc.	Library - Books	1,016.82
Big Ten Rentals	Comm & Cult - HHTD Tent	237.97
Blue Cross Blue Shield	Insurance	11,096.86
Brandt, Dawn	Admin - Reimb for Mileage	145.54
Brick, Leslie	Admin - Reimb For Mileage	203.98
Capital One Commercial	Park & Rec/Library - Supplies	799.09
David E. Grimm	Comm & Cult - HHTD pony rides	1,200.00
Dearborn National Insurance	Life Insurance	60.10
Deluxe Corp.	Admin - bank deposit slips	52.49
EFTPS	Federal Withholdings	7,753.74
Great River Brooms	Comm & Cult - HHTD	205.37
IPERS	IPERS	14,065.18
M. Edward English	Comm & Cult - HHTD Entertainment	700.00
Mediacom	Cable - Service	40.90
Milton Voss	Comm & Cult - HHTD rope maker	200.00
Muckler, Matt	Admin - conf mileage reimb.	62.30

Noah Reimer Prod.	Library – summer program CD’s	72.00
Payroll Expense	Payroll Expense – 7/31/15	30,752.44
Overdrive Inc.	Library – FY16 Bridges ebook fee	443.98
Pitney Bowes	Library – postage	273.53
Treasurer State of Iowa	State Withholding Tax	4,101.00
United States Treasury	Payroll Expense	2,874.98
Wageworks	Flex – HCFA2015 payment	20.00
	Grand Total	76,378.27

Fund Totals		
001 General Fund		33,349.30
031 Library		8,912.08
112 Trust and Agency		14,285.76
600 Water Fund		10,321.96
610 Sewer Fund		9,489.17
950 BC/BS Flexible Benefit		20.00
Grand Total		76,378.27

COMMUNICATIONS/OPEN FORUM

Planning & Zoning Commission Chair Roger Laughlin updated the City Council on the construction of two additional volleyball courts at Beranek Park. Lighting was discussed. Laughlin advocated for the addition of poles to be placed adjacent to the courts to provide lighting. The poles are being donated by Alliant Energy.

PUBLIC HEARING/NON-CONSENT AGENDA

Third Reading of Ordinance 731, amending the Code of Ordinances of the City of West Branch by transferring the responsibilities of the Zoning Board of Adjustment into a New Chapter of Said Code of Ordinances./Move to action.

Motion by Stevenson, second by Pierce to approve Ordinance 731. AYES: Stevenson, Pierce, Ellyson, Shields, Miller. Motion carried.

A summary of Ordinance No. 731 is listed below. The full text of the ordinance is available for review at the West Branch City Office, 110 N. Poplar Street, West Branch, IA 52358 and is also posted on the City Website.

ORDINANCE NO. 731

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH BY TRANSFERRING THE RESPONSIBILITIES OF THE ZONING BOARD OF ADJUSTMENT INTO A NEW CHAPTER OF SAID CODE OF ORDINANCES.

The current West Branch City Code delineates in Chapters 22-28 of the City Code the duties and responsibilities of all West Branch Boards and Commissions with the exception of the Zoning Board of Adjustment. The Zoning Board of Adjustment of the City of West Branch, Iowa, believes that a consistent and uniform City Code is desirable and has made a recommendation to the City Council to adopt a new Chapter 29, which would outline specific duties and responsibilities of the Zoning Board of Adjustment. Chapter 29 includes current language which is already in the West Branch City Code, additional and clarifying text from the Iowa Code, new text that outlines the selection of a chair and a vice-chair for the Board, clarifying language on the powers of the Board, and new text that addresses unintended conflicting issues and omissions.

Passed and approved this 3rd day of August, 2015.

First Reading: June 29, 2015

Second Reading: July 20, 2015

Third Reading: August 3, 2015

Colton Miller, Mayor Pro Tem

Attest:

Matt Muckler, City Administrator/Clerk

Third Reading of Ordinance 733, adopting the existing City Code of the City of West Branch, Iowa as the Code of Ordinances of the City of West Branch, Iowa, 2015./Move to action.

Motion by Ellyson, second by Stevenson to approve Ordinance 733. AYES: Ellyson, Stevenson, Miller, Shields, Pierce. Motion carried.

ORDINANCE NO. 733

AN ORDINANCE ADOPTING THE EXISTING CITY CODE OF THE CITY OF WEST BRANCH, IOWA, AS THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 2015

BE IT ENACTED by the City Council of the City of West Branch, Iowa, as follows:

SECTION 1. PURPOSE. The purpose of this ordinance is to comply with the provisions of Section 380.8, Code of Iowa, requiring cities to compile a code of ordinances at least once every five years.

SECTION 2. CODE ADOPTED. The CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 1999, as amended by Ordinances No. 506 through 729, both inclusive, being found to be correct and adequate for the City is hereby readopted as the CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 2015, with the following amendments:

- A. TITLE. Section 1.01 is repealed and the following enacted in lieu thereof:
“1.01 TITLE. This Code of Ordinances shall be known and may be cited as the Code of Ordinances of the City of West Branch, Iowa, 2015.”
- B. DEFINITIONS. Section 1.02, subsection 5 is repealed and the following is enacted in lieu thereof:
“5. ‘Code of Ordinances’ means the Code of Ordinances of the City of West Branch, Iowa, 2015.”

SECTION 3. AMENDMENTS. All general ordinances of the City passed hereafter shall be in the form of an addition, amendment or repealer to the CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 2015, and shall include proper references to title, chapter, and section or subsection to maintain the orderly codification of ordinances.

SECTION 4. COPY ON FILE. An official copy of the “CODE ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, 2015,” adopted by this ordinance, including a certificate of the City Clerk as to its adoption and the effective date, is on file in the office of the City Clerk and is available for public inspection.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its publication, as required by law.

Passed and approved this 3rd day of August, 2015.

First Reading: June 29, 2015

Second Reading: July 20, 2015

Third Reading: August 3, 2015

Colton Miller, Mayor Pro Tem

Attest:

Matt Muckler, City Administrator/Clerk

Resolution 1334, approving those certain agreements in connection with the Public Improvements for S. Downey Street & Tidewater Drive./Move to action.

Olson stated that these are the easement agreements for the infrastructure projects that will take place in conjunction with the Casey's Project. Muckler stated that the easements are all signed except for the easement at the Kum N Go property, but that it is expected to be received soon. A building permit has already been pulled and construction is expected to commence soon.

Motion by Stevenson, second by Ellyson to approve Resolution 1334. AYES: Stevenson, Ellyson, Pierce, Shields, Miller. Motion carried.

Resolution 1362, approving the intent to appoint Roger Laughlin as Mayor until regular city elections./Move to action.

Olson offered an amendment to have the resolution appoint Laughlin rather than express the Council's intent to do so.

Motion by Ellyson, second by Shields to approve Resolution 1362 with the amendment that clarifies that the Council is appointing Roger Laughlin as Mayor, rather than expressing their intent to do so. AYES: Ellyson, Shields, Stevenson, Pierce, Miller. Motion carried.

Accept the resignation of Roger Laughlin from the West Branch Planning and Zoning Commission./Move to action.

Motion by Pierce, second by Shields to accept the resignation of Roger Laughlin from the Planning and Zoning Commission. AYES: Pierce, Shields, Miller, Ellyson, Stevenson. Motion carried.

Councilperson Mary Beth Stevenson - Appointments/Move to action.

i. Elizabeth Seiberling – Planning & Zoning Commission, Dec. 31, 2018.

Stevenson stated that Seiberling was well qualified for service on the Commission, citing her background in architecture, and recommended her appointment to the Council.

Motion by Pierce, second by Shields to approve the appointment of Elizabeth Seiberling to the Planning & Zoning Commission. AYES: Pierce, Shields, Stevenson, Miller, Ellyson. Motion carried

Resolution 1374, approving an amended Memorandum of Understanding between the West Branch Community School District and the City of West Branch, Iowa regarding the Summer League Ball Program./Move to action.

Russell stated that the resolution would extend the terms of the agreement. Shields stated that there would be consolidated ordering for supplies and spoke in favor of the amended agreement. Pierce asked about the maintenance of the batting cages. Russell stated that the City would maintain the batting cages moving forward. Motion by Shields, second by Pierce to approve Resolution 1374. AYES: Shields, Pierce, Ellyson, Stevenson, Miller. Motion carried.

Resolution 1375, setting a nuisance hearing for Robert W. Lucassen for 207 E. Green Street for 7:00 p.m. on August 17, 2015.

Olson stated that Mike Lucassen had already appeared before the Council on this issue. The actual owner of the house is Robert Lucassen and city staff has reissued the nuisance abatement in the name of Robert Lucassen. Robert Lucassen has requested a hearing in front of the Council, which is allowed for in the City Code.

Motion by Shields, second by Pierce to approve Resolution 1375. AYES: Shields, Pierce, Miller, Ellyson, Stevenson. Motion carried.

Resolution 1376, approving the appointment of a selection committee for the consultant selection process for a City Highway Bridge Program Project with the Iowa Department of Transportation./Move to action.

Muckler stated that this is the next step in the process. We now have an active funding agreement and the committee created by this resolution would select the engineering firm that will design the new bridge.

Motion by Ellyson, second by Pierce to approve Resolution 1376. AYES: Ellyson, Pierce, Miller, Stevenson, Shields. Motion carried.

Resolution 1377, providing for the issuance of \$855,000 General Obligation Corporate Purpose Bonds, Series 2015 and providing for the levy of taxes to pay the same./Move to action.

Shields asked about the measure before the Council. Olson stated that this was the actual loan agreement which requires the approval of the Council.

Motion by Stevenson, second by Ellyson to approve Resolution 1377. AYES: Stevenson, Ellyson, Miller, Shields, Pierce. Motion carried.

Resolution 1379, approving partial payment estimate number two (final) in the amount of the retainage (\$10,157.01) to All American Concrete, Inc. of West Liberty, IA and accepting the West Branch, Iowa Main Street Sidewalk – Phase 2 Project as substantially completed./Move to action.

Muckler stated that Public Works Director Matt Goodale and the City Engineer inspected the project and declared that it was completed.

Motion by Ellyson, second by Pierce to approve Resolution 1379. AYES: Ellyson, Pierce, Stevenson, Shields, Miller. Motion carried.

CITY STAFF REPORTS

City Administrator Matt Muckler – FY15 Outstanding Obligations Report

Muckler stated that two debts were retired in FY15: a general obligation loan for public works equipment and the Fire Station Expansion Project loan. Goals for next year include retiring the Fobian Lawsuit Settlement and making advanced payments on the loan for the purchase of the park property in Pederson Valley and one of the SRF water revenue bonds. Muckler stated that the City continues to retire debt ahead of schedule.

Police Chief Mike Horihan – Police Body-Worn Camera Policies

Horihan discussed the need for updated police policies in general and more specifically about the need for policies regarding police body-worn cameras.

Public Works Director Matt Goodale – College Street Bridge Repair Update

Eric Gould with Veenstra & Kimm, Inc. updated the Council on repairs to the College Street Bridge and recommended that the Council consider reducing the load rating on the bridge from fifteen tons to ten tons.

City Administrator Matt Muckler – Advertising for Housing Incentive Program

Muckler informed the Council that the housing incentive committee purchased advertising to promote the City's new housing incentive program and recommended that the City provide additional funding to support this advertising campaign.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Councilmember Tim Shields – Summer League MOU

Shields asked the city administrator to look into signage maintenance provisions. Shields also asked about golf cart schedules for Hoover's Hometown Days. Muckler responded that staff would contact Councilmembers later in the week to ensure that golf carts were available to members for the event.

Mayor Pro Tem Colton Miller – West Branch Village Trail Project

Miller stated that former Mayor Mark Worrell always encouraged families of elected officials to be involved in the Mayor's Parade and other events taking place with the Hoover's Hometown Days Celebration. He encouraged the Council to bring their families and participate in the festivities.

ADJOURNMENT

Motion to adjourn meeting by Ellyson, second by Shields. AYES: Ellyson, Shields, Stevenson, Pierce, Miller. Motion carried. City Council meeting adjourned at 7:49 p.m.

Colton Miller, Mayor Pro Tem

ATTEST: _____
Matt Muckler, City Administrator/Clerk