

CITY COUNCIL MEETING AGENDA – AMENDED*

Monday, May 16, 2016 • 7:00 p.m.

City Council Chambers, 110 North Poplar Street

Action may be taken on any agenda item.

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Welcome
5. Approve Agenda/Consent Agenda/Move to action.
 - a. Approve minutes from the April 28, 2016 Special City Council Meeting.
 - b. Approve minutes from the May 2, 2016 City Council Meeting.
 - c. Approve claims.
6. Communications/Open Forum
7. Public Hearing/Non-Consent Agenda
 - a. Approve street closure of the 100 block of S. Downey from 8:00 a.m. until 5:00 p.m. on Saturday June 4, 2016 for Summer Festival sponsored by Main Street West Branch./Move to action.
 - b. Public Hearing on proposed action to institute proceedings to enter into a loan agreement and to borrow money thereunder in a principal amount not to exceed \$400,000.
 - c. Public Hearing on proposed action to institute proceedings to enter into a loan agreement and to borrow money thereunder in a principal amount not to exceed \$500,000.
 - d. Resolution 1463, taking additional action on proposal to enter into Loan Agreements and combining Loan Agreements./Move to action.
 - e. Resolution 1464, approving a five-year Agreement for Maintenance and Repair of Primary Roads in Municipalities between the City of West Branch and the Iowa Department of Transportation./Move to action.
 - f. Resolution 1465, awarding the construction contract for the Main Street Intersections and Sidewalk Improvements Project./Move to action.
 - g. Resolution 1466, hiring two youth counselors as temporary Parks and Recreation employees for the City of West Branch, Iowa and setting the salary for the positions for the fiscal year 2015-2016./Move to action.
 - h. Resolution 1467, approving the purchase of a camera security system for the West Branch City Offices./Move to action.
 - i. Discussion of Ordinance 740, amending Chapter 165 “Zoning Regulations.”

* City Council Meeting Agenda amended on May 11, 2016 to add item 7n.

CITY COUNCIL MEETING AGENDA – AMENDED*

Monday, May 16, 2016 • 7:00 p.m. (continued)

City Council Chambers, 110 North Poplar Street

Action may be taken on any agenda item.

- j. Resolution 1469, ordering notice of public hearing on proposed plans and specifications, proposed form of contract and estimate of cost for construction of the Main Street Sidewalk Improvements – Phase 3 Project for the City of West Branch, Iowa, and the taking of bids therefor./Move to action.
 - k. Discussion of Meadows Subdivision – Part 2 variance request, subdivider’s agreement and preliminary plat.
 - l. Third Reading of Ordinance 738, re-zoning an approximate 2.34 acre parcel of real property located north of West Main Street from Residence R-1 Single Family District to Residence R-2 Two Family District./Move to action.
 - m. Second Reading of Ordinance 739, rezoning two parcels of real property located north of West Main Street from Residence R-1 Single Family District to Residence/Business RB-1 District./Move to action.
 - n. Resolution 1470, approving an offer to purchase real property with Hawkeye Land Company in the amount of \$22,000./Move to action.
8. City Staff Reports
- a. Library/IT Director Nick Shimmin – Summer Reading Program
 - b. City Engineer Dave Schechinger - 4th Street Reconstruction Project Pre-Construction Meeting
 - c. City Administrator Matt Muckler - Fire Department Volunteer Cadet Program
9. Comments from Mayor and Council Members
10. Adjournment

* City Council Meeting Agenda amended on May 11, 2016 to and add item 7n.

(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**

Special City Council Meeting

**April 28, 2016
7:30 p.m.**

Mayor Roger Laughlin called the West Branch Special City Council Meeting to order at 7:32 p.m. Mayor Laughlin then invited the Council, Staff and members of the audience to stand and led the group in the Pledge of Allegiance. Roll call: Mayor Roger Laughlin was present. Council members: Colton Miller, Brian Pierce, Tim Shields, and Mary Beth Stevenson were present. Council member Jordan Ellyson was absent. Laughlin welcomed the audience and the following City staff: City Administrator Matt Muckler and City Attorney Kevin Olson.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

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

COMMUNICATIONS/OPEN FORUM – None.

PUBLIC HEARING/NON-CONSENT AGENDA – None.

CITY STAFF REPORTS – None.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS – None.

MOTION TO ADJOURN TO EXECUTIVE SESSION

Motion to adjourn to executive session by Stevenson, second by Shields. AYES: Stevenson, Shields, Miller, Pierce. Absent: Ellyson. Motion carried. City Council adjourned to executive session at 7:35 p.m.

MOTION TO ADJOURN FROM EXECUTIVE SESSION

Motion to adjourn from executive session by Shields, second by Pierce. AYES: Shields, Pierce, Stevenson, Miller. Absent: Ellyson. City Council adjourned from executive session at 8:24 p.m.

ADJOURNMENT

Regular session resumed at 8:25 p.m. Shields moved to adjourn, second by Pierce. Motion carried on a voice vote. City Council meeting adjourned at 8:25 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk

(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

**May 2, 2016
7:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council meeting to order at 7:00 p.m. Mayor Laughlin then invited the Council, Staff and members of the audience to stand and led the group in the Pledge of Allegiance. Roll call: Mayor Roger Laughlin was present. Council members: Jordan Ellyson, Colton Miller, Brian Pierce, Tim Shields, and Mary Beth Stevenson were present. Laughlin welcomed the audience and the following City staff: City Administrator Matt Muckler, Deputy City Clerk Leslie Brick, Finance Officer Gordon Edgar, City Attorney Kevin Olson, Police Chief Mike Horihan, Park & Recreation Director Melissa Russell, Public Works Director Matt Goodale and Fire Chief Kevin Stoolman.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Approve minutes from the April 18, 2016 City Council Meeting.

Approve claims.

Approve outdoor service privileges for a Class C Liquor License (LC) (Commercial) from May 5, 2016 through May 7, 2016 for Mexico Lindo, Inc. DBA Mexico Lindo Grill & Cantina.

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

EXPENDITURES		5/2/2016
BAKER & TAYLOR INC.	BOOKS	1,140.06
BEAN & BEAN	GRAVE OPENING	550.00
CAJ ENTERPRISES INC	HAULING - ROADSTONE	299.67
CHIEF SUPPLY CORPORATION	SUMMER SHIRTS	426.70
COPYWORKS	FLOOD MAPS	12.00
CROELL REDI-MIX INC	SEWER REPAIR	2,025.50
CULLIGAN WATER TECHNOLOGIE	FIRE - WATER COND RENTAL	34.70
DEMCO OFFICE	SUPPLIES	112.27
DORSEY & WHITNEY LLP	LEGAL FEES	14,785.50
EDGAR, GORDON	TRAVEL EXPENSE	10.55
GOERDT, TERENCE J	INSPECTION SERVICE	542.50
HARRY'S CUSTOM TROPHIES	PARK & REC - MEDALS	120.00
HAWKINS INC	CHEMICALS	1,525.25
HBK ENGINEERING LLC	ENG SERVICE PARKS PH 1	6,864.00
HD CLINE COMPANY	CEMETERY - MOWER PARTS	51.62
JOHN DEERE FINANCIAL	SUPPLIES, SAFETY EQ, CLOTHING	604.55
KNOCHE, REBECCA	PROGRAM SUPPLIES	8.91
L. L. PELLING CO. INC	PREMIX ROAD REPAIR MATERIAL	131.76
LEPIC KROEGER TRUST	DEPOSIT	1,000.00
LIBERTY COMMUNICATIONS	MAY TELEPHONE SERVICE	1,205.02
LYNCH'S PLUMBING INC	INSTALL HYDRANT AT CEMETERY	1,963.30
OLSON, KEVIN D	LEGAL SERVICES - MAY	1,500.00
OVERDRIVE INC	EBOOKS	235.00
PARKSIDE SERVICE	TIRE REPAIR	142.50
PITNEY BOWES PURCHASE POWER	LIBRARY - POSTAGE	507.00
PLAY IT AGAIN SPORTS	YOUTH SPORTS SUPPLIES	71.81
PORT 'O' JONNY INC.	PARK & REC - SERVICE	87.00
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	730.00
QUILL CORP	OFFICE SUPPLIES	175.26
SHIMMIN, NICK	DVDS, PROGRAM SNACKS	60.44
SUMMIT COMPANIES	ANNUAL FIRE EXT SERVICE	266.00
SUPPLYWORKS	BATH TISSUE PAPER TOWELS	257.95
USA BLUE BOOK	WATER - REPAIR PARTS	119.70
VEENSTRA & KIMM INC	P & Z LYNCHS PRELIM PLAT	16,118.83
VERIZON WIRELESS	V WIRELESS 4-13 TO 5-13	785.38
TOTAL		54,470.73
PAYROLL	4/22/2016	46,364.54

PAID BETWEEN MEETINGS		
BRICK, LESLIE	TRAVEL EXP, OFFICE SUPPLIES	227.35
BROWN'S WEST BRANCH	2016 RAM MODEL 1500	25,435.00
HANNA, JOHN	SUPPLIES	45.24
J & M DISPLAYS INC	HHTD FIREWORKS DEP 2016	20,000.00
MEDIACOM	CABLE SERVICE	40.90
MISCELLANEOUS VENDOR	REFUNDS	160.00
PITNEY BOWES PURCHASE POWER	POSTAGE	500.00
UPS	SHIPPING 54.63	
TOTAL		46,463.12
GRAND TOTAL EXPENDITURES		147,298.39
FUND TOTALS		
001 GENERAL FUND	75,987.74	
022 CIVIC CENTER	165.43	
031 LIBRARY	7,301.68	
110 ROAD USE TAX	2,213.94	
112 TRUST & AGENCY	10,430.23	
305 MAIN ST CROSSINGS PROJ	2,803.05	
306 4TH ST IMPROVEMENTS PROJ	3,166.08	
310 COLLEGE STREET BRIDGE	8,846.80	
600 WATER FUND	18,700.87	
610 SEWER FUND	17,622.77	
740 STORM WATER UTILITY	59.80	
GRAND TOTAL	147,298.39	

COMMUNICATIONS/OPEN FORUM

Curt Fountain, 314 W. Orange St., stated that his sewer line was damaged three years ago when the City constructed a new street between his property and water tower number one and asked for a timeline when that repair would be completed. He also expressed his displeasure with Public Works blowing grass clippings on his driveway when city property was mowed. Mayor Laughlin asked Fountain if he would be willing to mow the grass adjacent to his property. Fountain stated he did not want to mow it.

Chief Horihan provided the Council an update on Police Officer Wesley Homeister, a resident bat bite that tested positive for rabies, and the possibility of the City purchasing electronic speed zone signs for specific areas in the city. Horihan also reported that the recent drug turn-in program resulted in more than thirty-seven pounds of unused prescription drugs turned in for disposal.

PUBLIC HEARING/NON-CONSENT AGENDA

Mayor Roger Laughlin – Recognition of Hoover Elementary Principal Jess Burger, School Administrators of Iowa 2016 Elementary Principal of the Year.

Mayor Laughlin presented Principal Jess Burger with a certificate of appreciation from the City for her dedication to the children of West Branch.

Mayor Roger Laughlin – Recognizing the week of May 1 through May 7, 2016 as Municipal Clerks Week and further extending appreciation to Deputy City Clerk Leslie Brick for her exemplary dedication to the City of West Branch.

Mayor Laughlin presented Deputy City Clerk Brick with a proclamation recognizing her as a Municipal Clerk. Laughlin also extended his appreciation to City Administrator Matt Muckler and Finance Officer Gordon Edgar for their contributions to the City.

Superintendent Pete Swisher, Herbert Hoover National Historic Site - National Park Service presentation to the Mayor and the City of West Branch regarding ongoing collaborative activities.

Swisher presented the Mayor with the 2016 Midwest Region Excellence in Partnering award for partnership with the National Park. He cited several areas where the City of West Branch has stepped up and committed both financial and community support for the National Park Service.

Third Reading of Ordinance 736, re-zoning an approximate 6.02 acre parcel of real property located north of West Main Street from Residence R-1 Single Family District to Residence R-2 Two Family District./Move to action.

ORDINANCE NO. 736

AN ORDINANCE RE-ZONING AN APPROXIMATE 6.02 ACRE PARCEL OF REAL PROPERTY LOCATED NEAR 829 WEST MAIN STREET FROM RESIDENCE R-1 SINGLE FAMILY DISTRICT TO RESIDENCE R-2 TWO FAMILY DISTRICT.

WHEREAS, Lynch Plumbing, Inc. has petitioned the City of West Branch for a zoning district amendment for an approximate 6.02-acre parcel located north of West Main Street, said parcel being legally described as Lot 1 of Lot "A", West Branch, Cedar County, Iowa, in accordance of the Plat thereof recorded in Plat Book G, at page 223, in the records of the Cedar County Recorder's Office, containing 6.02 acres, and subject to easements and restrictions of record. This is a tract of land at 829 W. Main Street; and

WHEREAS, Lynch Plumbing, Inc. has requested that the Parcel be rezoned to be located in a Residence R-2 Two Family District, in place of a Residence R-1 Single Family District; and

WHEREAS, the West Branch Planning and Zoning Commission has recommended the City Council approve said rezoning request; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of West Branch, Iowa:

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a Residence R-2 Two Family District in place of a Residence R-1 Single Family District.

Section 2. This ordinance shall be in full force and effect from and after its publication as required by law.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 2nd day of May, 2016.

Read First Time: April 4, 2016

Read Second Time: April 18, 2016

Read Third Time: May 2, 2016

Roger Laughlin, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk

Motion by Stevenson, second by Ellyson to approve third reading of Ordinance 736. AYES: Stevenson, Ellyson, Pierce, Shields, Miller. Motion carried.

Third Reading of Ordinance 737, re-zoning an approximate 0.44 acre parcel of real property located at 203 North Downey Street from Residence R-3 Multiple Family District to Central Business CB-1 District./Move to action.

ORDINANCE NO. 737

AN ORDINANCE RE-ZONING AN APPROXIMATE 0.44 ACRE PARCEL OF REAL PROPERTY LOCATED AT 203 NORTH DOWNEY STREET FROM RESIDENCE R-3 MULTIPLE FAMILY DISTRICT TO CENTRAL BUSINESS CB-1 DISTRICT.

WHEREAS, the First United Methodist Church of West Branch has petitioned the City of West Branch for a zoning district amendment for an approximate 0.44-acre parcel located at 203 N. Downey Street, said parcel being legally described as That part of Lots 5, 6, 11, 12 and a portion of the vacated alley all in Block 35 of the Town of Cameron now West Branch, Cedar County, Iowa being more particularly described as follows: Commencing as a point of reference at the Southeast corner of said Lot 12; thence South 89°05'06" West 97.20 feet along the North right-of-way line of Green Street (assumed bearing for this description only) to the point of beginning; thence continuing South 89°05'06" West 162.38 feet along said North right-of-way line to a point of intersection with the East line of Downey Street; thence North 0°56'52" West 94.00 feet along the East right-of-way line of Downey Street to the Northwest corner of the South 17 feet of said Lot 6; thence North 89°05'06" East 99.87 feet along the North line of the South 17 feet of said Lot 6; thence North 0°52'22" West 60.00 feet along the West line of the East 22 feet of said Lot 6 to a point of intersection with the South right-of-way line of an alley; thence North 89°05'06" East 62.30 feet along said South right-of-way line; thence South 1°00'03" East 154.00 feet to the point of beginning and containing 0.44 acre more or less; and

WHEREAS, The First United Methodist Church of West Branch has requested that the Parcel be rezoned to be located in a Central Business CB-1 District, in place of a Residence R-3 Multiple Family District; and

WHEREAS, the West Branch Planning and Zoning Commission has considered and voted on a recommendation to the City Council on the disposition of said rezoning request; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of West Branch, Iowa:

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a Central Business CB-1 District in place of a Residence R-3 Multiple Family District.

Section 2. This ordinance shall be in full force and effect from and after its publication as required by law.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 2nd day of May, 2016.

Read First Time: April 18, 2016

Read Second Time: April 18, 2016

Read Third Time: May 2, 2016

Roger Laughlin, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk

Motion by Ellyson, second by Miller to approve third reading of Ordinance 737. AYES: Ellyson, Miller, Shields, Pierce, Stevenson. Motion carried.

Resolution 1446, approving the West Branch United Methodist Church Accessibility Improvement Site Plan./Move to action.

Motion by Ellyson, second by Pierce to approve Resolution 1446. AYES: Ellyson, Pierce, Shields, Stevenson, Miller. Motion carried.

Second Reading of Ordinance 738, re-zoning an approximate 2.34 acre parcel of real property located north of West Main Street from Residence R-1 Single Family District to Residence R-2 Two Family District./Move to action.

Realtors Teresa Horton and Helen Fawcett spoke in favor of the rezoning and provided their professional opinions on property values affects to the zoning change request. Resident Craig Cochran expressed his opposition for the zoning change based on lot sale advertising indicates single family dwellings and not multi-family residence. Brad Larson, partner of KLM Development provided an update to the Council on the revised plat which will change the number of lots from twenty two to twenty one due to storm water issue.

Motion by Pierce, second by Stevenson to approve second reading of Ordinance 738. AYES: Pierce, Stevenson, Miller, Ellyson, Shields. Motion carried.

Public Hearing on proposed plans and specifications, proposed form of contract and estimate of cost for construction of the City of West Branch Parks and Recreation Phase I Improvements and the taking of bids therefor.

Public Hearing opened at 7:44 p.m. There were no comments from the public. Public Hearing closed at 7:45 p.m.

Resolution 1451, approving the plans and specifications, proposed form of contract and estimate of cost for the construction of the City of West Branch Parks and Recreation Phase I Improvements for Beranek Park, Wapsi Park and Lions Field and the taking of bids therefor./Move to action.

Brian Boelk of HBK Engineering highlighted plans for each of the park improvements.

Motion by Shields, second by Ellyson to approve Resolution 1451. AYES: Shields, Ellyson, Miller, Stevenson, Pierce. Motion carried.

Resolution 1452, approving a professional services agreement with HBK Engineering LLC in connection with the Lions Field Creek Restoration Project./Move to action.

Brian Boelk of HBK Engineering discussed the planning stage of the stabilization of the creek between West Orange Street and West Main Street. The project will include creating a buffer between the creek and the residents on Scott Drive. Boelk also noted that resident meetings would be held to gain feedback to assist with the design of the restoration project. Muckler commented that this project would be funded from storm water funds and that 2016 would be the planning phase and restoration would begin in 2017.

Motion by Shields, second by Pierce to approve Resolution 1452. AYES: Shields, Pierce, Miller, Stevenson, Ellyson. Motion carried.

Jonny Stax, Jonny Stax Presents, Inc. – Promoting West Branch

Stax provided the Council with his plan to achieve the task to create a tagline and logo for the City as contracted. Stax noted that he has made community contacts and is moving forward. He requested that the Council consider an extension of late July to complete the project so that the City could reveal the new logo at Hoover's Hometown Days. Councilmember Ellyson and Stevenson expressed support for that timetable.

Resolution 1453, approving seven agreements for the Music on the Green Concert Series./Move to action.

Motion by Stevenson, second by Shields to approve Resolution 1453. AYES: Stevenson, Shields, Miller, Pierce, Ellyson. Motion carried.

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

Public hearing opened at 8:10 p.m. There were no comments from the public. Public Hearing closed at 8:11 p.m.

Resolution 1454, approving and adopting an Amended and Restated Urban Renewal Plan for the West Branch Urban Renewal Area./Move to action.

Motion by Miller, second by Stevenson to approve Resolution 1454. AYES: Miller, Stevenson, Ellyson, Pierce, Shields. Motion carried.

Resolution 1455, approving a land exchange agreement with Croell Redi-Mix, Inc./Move to action.

City Attorney Olsen explained the exchange would give Croell eight acres of property in the City's industrial park to allow the company to move their business to a more appropriate area. In exchange, the City would get the Croell property for future redevelopment. Laughlin commented that the Croell property on the future land use map has the area slated for residential use and that the land exchange offers the city a chance to create a nice district that could include some commercial business as well as possibly extending the trail system. Pierce also spoke in favor of the land exchange and is excited to see the project move forward.

Motion by Pierce, second by Shields to approve Resolution 1455. AYES: Pierce, Shields, Stevenson, Miller, Ellyson. Motion carried.

Resolution 1456, approving an offer to purchase real property with Rummells Farms, Inc. in the amount of \$225,000./Move to action.

Olsen described the intent of the agreement is to purchase a twelve acre parcel in the City's industrial park to provide the City more area for future business development. Muckler commended the Planning & Zoning Commission and Council for being committed to the Comprehensive Plan. He stated that the City is dedicated to redeveloping its core and that this project will offer that opportunity. He also noted that public input would be sought before the area is developed and felt that this will have a big effect on West Branch. Muckler also commented that the City has had a long standing, good relationship with the Kinsey's and thanked all of the partners who made this project happen. Olsen also thanked Croell and the Rummells Farms for working with the City's schedule to make the project happen so quickly. Muckler expressed that he was happy that the City was able to retain the Croell business and Olsen noted that the remaining four acres would be used for future projects.

Motion by Pierce, second by Ellyson to approve Resolution 1456. AYES: Pierce, Ellyson, Miller, Stevenson, Shields. Motion carried.

Public Hearing on rezoning two parcels of real property located north of West Main Street from Residence R-1 Single Family District to Residence/Business RB-1 District.

Public Hearing opened at 8:23 p.m. There were no comments from the public. Public Hearing closed at 8:24 p.m.

First Reading of Ordinance 739, rezoning two parcels of real property located north of West Main Street from Residence R-1 Single Family District to Residence/Business RB-1 District./Move to action.

Motion by Stevenson, second by Miller. AYES: Stevenson, Ellyson, Pierce. NAYS: Miller, Shields. Motion carried.

Public Hearing on proposed plans and specifications, proposed form of contract and estimate of cost for construction of Main Street Intersection and Sidewalk Improvements for the City of West Branch, Iowa, and the taking of bids therefor.

Public Hearing opened at 8:46 p.m. There were no comments from the public. Public Hearing closed at 8:47 p.m.

Resolution 1457, approving the plans and specifications, proposed form of contract and estimate of cost for the construction of Main Street Intersection and Sidewalk Improvements for the City of West Branch, Iowa, and the taking of bids therefor./Move to action.

Schechinger provided an overview of the project and noted that the costs for the improvements were estimated to be \$220,000. Stevenson raised a concern with regard to the costs associated with the section between Foster Street and Thomas Drive due to the amount of work that needed to be done in that area. Schechinger indicated that the estimate was approximately \$25,000 depending how the bids came in. Stevenson was comfortable with that response. Laughlin also requested that if trees were impacted with the project that the City replace those trees.

Motion by Shields, second by Ellyson to approve Resolution 1457. AYES: Shields, Ellyson, Miller, Stevenson, Pierce. Motion carried.

Resolution 1458, approving 28E agreements between the City of West Branch, IA and the Boards of Trustees of Cass, Gower, Graham, Iowa, Scott and Springdale Townships for the purposes of fire protection and aid and assistance for other emergencies or disasters relating to life and property, or hazardous materials./Move to action.
Motion by Stevenson, second by Miller to approve Resolution 1458. AYES: Stevenson, Miller, Pierce, Shields, Ellyson. Motion carried.

Resolution 1459, approving three agreements for the 2016 Hoover’s Hometown Days Celebration./Move to action.
Motion by Shields, second by Stevenson to approve Resolution 1459. AYES: Shields, Stevenson, Miller, Pierce, Ellyson. Motion carried.

CITY STAFF REPORTS

Public Works Director Matt Goodale- 4th Street Wastewater Infrastructure Improvements

Goodale reported that seal coating repairs are being pushed back until August. The areas that will be treated are Greenview, East Green Street and the cemetery. Goodale also noted that he hopes to complete asphalt repairs planned for the Main and Downey Street intersection before Hoover’s Hometown Days. Goodale also reported on the recent Earth Day activities where forty high school students helped plant trees in Beranek Park.

Park & Recreation Director Melissa Russell – Summer Parks & Recreation Programs

Russell reported that summer program registration is now open for kids K-6. New activities are being introduced to expose the kids to new opportunities.

Deputy City Clerk Leslie Brick – Iowa Municipal Finance Officers Association Spring Conference

Brick reported that City Administrator Matt Muckler, Finance Officer Gordon Edgar and herself attend the spring conference in Des Moines. The conference included training on several municipal subjects as well as time for meeting other Iowa clerks.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Pierce commented that he attended school leadership day at Hoover Elementary.

ADJOURNMENT

Motion to adjourn regular meeting by Shields, second by Pierce. Motion carried on a voice vote. City Council meeting adjourned at 9:16 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk



Requesting a Road closure on June 4th from 8:00am- 5:00pm on South Downey Street for the use of a Summer Festival.

We will be having a bake sale, kid's lemonade stand and chalk contest.

Any questions, please call chair Erin Vincent at 319-631-4984. Thank you!

111 East Main Street • Post Office Box 786 • West Branch, Iowa 52358-0786
319.643.7100 • mainstreetwb@gmail.net • www.mainstreetwestbranch.org

*Main Street West Branch is a 501(c)(3) nonprofit organization. Fed Tax ID #20-3304311
No goods or services were received in consideration of this gift.*

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$400,000

(GENERAL OBLIGATION)

The City Council of the City of West Branch, Iowa, will meet on May 16, 2016, at the City Council Chambers, West Branch, Iowa, at 7:00 o'clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$400,000 for the purpose of paying the costs, to that extent, of land acquisition and site preparation for economic development and in-fill redevelopment projects.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of West Branch, Iowa.

Matt Muckler
City Clerk

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$500,000

(GENERAL OBLIGATION)

The City Council of the City of West Branch, Iowa, will meet on May 16, 2016, at the City Council Chambers at 110 N. Poplar Street, West Branch, Iowa, at 7:00 o'clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$500,000 for the purpose of paying the costs, to that extent, of constructing street, storm water drainage, sidewalk, water system and sanitary sewer system improvements and installing street signage and signalization.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of West Branch, Iowa.

Matt Muckler
City Clerk

MINUTES FOR HEARINGS AND
ADDITIONAL ACTION ON ENTERING
INTO LOAN AGREEMENTS AND
COMBINING LOAN AGREEMENTS

439235-10

West Branch, Iowa

May 16, 2016

The City Council of the City of West Branch, Iowa, met on May 16, 2016, at 7:00 p.m., at the City Council Chambers, in the City. The Mayor presided and the roll was called showing the following members of the City Council present and absent:

Present: _____

Absent: _____.

This being the time and place specified for taking action on the proposal to enter into an Essential Purpose Loan Agreement in a principal amount not to exceed \$500,000, the City Clerk announced that no written objections had been placed on file. Whereupon, the Mayor called for any written or oral objections, and there being none, the Mayor closed the public hearing.

This also being the time and place specified for taking action on the proposal to enter into the General Purpose Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$400,000, the City Clerk announced that no written petition had been filed asking that the question of entering into the loan agreement be submitted to the registered voters of the City, and that the City Council may proceed with the authorization of the loan agreement. Whereupon, the Mayor called for any written or oral objections, and there being none, the Mayor declared the public hearing closed.

After due consideration and discussion, Council Member _____ introduced the following resolution and moved its adoption, seconded by Council Member _____. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

•••••

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

Mayor

Attest:

City Clerk

RESOLUTION NO. 1463

Resolution taking additional action on proposal to enter into Loan Agreements and combining Loan Agreements

WHEREAS, the City of West Branch (the “City”), in Cedar and Johnson Counties, State of Iowa has heretofore proposed to enter into a General Obligation Loan Agreement (the “Essential Purpose Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$500,000 for the purpose of paying the costs, to that extent, of constructing street, storm water drainage, sidewalk, water system and sanitary sewer system improvements and installing street signage and signalization (collectively, the “Essential Projects”), and has published notice of the proposed action and has held a hearing thereon on May 16, 2016; and

WHEREAS, the City has also heretofore proposed to enter into a General Obligation Loan Agreement (the “General Purpose Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$400,000 for the purpose of paying the costs, to that extent, of land acquisition and site preparation for economic development and in-fill redevelopment projects (the “General Purpose Project”), and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of May 16, 2016, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, pursuant to the provisions of Section 384.24A of the Code of Iowa, the City also heretofore proposed to enter into a loan agreement (the “Park Project Loan Agreement”) and to borrow money thereunder in an amount not exceeding \$4,000,000 to provide funds to pay the cost, to that extent, of undertaking the West Branch Park Improvements Project, including ball diamonds; volleyball courts; lighting improvements; playground equipment; concessions, restroom and shelter facilities; recreation trails; landscaping; parking lots; and the installation of related public infrastructure improvements, and pursuant to law and duly published notice, has held a successful election on said proposal on November 3, 2015; and

WHEREAS, pursuant to law and the successful election on the Park Project Loan Agreement, the City now intends to use a portion of its borrowing authority thereunder to enter into an initial loan agreement (the “Initial Park Project Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$500,000 to pay the cost, to that extent, of funding the initial costs of the West Branch Park Improvement Project (the “Park Project”) (collectively hereinafter the Essential Purpose Projects, the General Purpose Project and the Park Project are referred to as the “Projects”); and

WHEREAS, the City retains the right to enter into the Park Project Loan Agreement, or derivatives thereof, and to thereby exercise its remaining authority to borrow up to \$3,500,000 thereunder in the future; and

WHEREAS, pursuant to Section 384.28 of the Code of Iowa, the City Council intends to combine the Essential Purpose Loan Agreement, the General Purpose Loan Agreement and the Initial Park Project Loan Agreement into a single loan agreement (the “Loan Agreement”);

NOW, THEREFORE, Be It Resolved by the City Council of the City of West Branch, Iowa, as follows:

Section 1. The Essential Purpose Loan Agreement, the General Purpose Loan Agreement and the Initial Park Project Loan Agreement are hereby combined into the Loan Agreement. The City Council hereby determines to enter into the Loan Agreement in the future and to issue General Obligation Corporate Purpose Bonds at such time, in evidence thereof. The City Council further declares that this resolution constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved May 16, 2016.

Mayor

Attest:

City Clerk

ATTESTATION CERTIFICATE:

STATE OF IOWA
COUNTIES OF CEDAR AND JOHNSON SS:
CITY OF WEST BRANCH

I, the undersigned, City Clerk of the City of West Branch, do hereby certify that as such I have in my possession or have access to the complete corporate records of the City and of its Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate records relating to the public hearing and additional action on the proposal to enter into a certain Loan Agreements and to combine Loan Agreements, and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

WITNESS MY HAND this _____ day of _____, 2016.

City Clerk

May 11, 2016

Via Email

Matt Muckler
City Administrator/City Hall
West Branch, Iowa

Re: General Obligation Loan Agreements
Our File No. 439235-10

Dear Matt:

We have prepared and attach proceedings related to the action to be taken on the City's General Obligation Loan Agreements (the "Loan Agreements") at the May 16, 2016 City Council meeting.

The proceedings attached include the following items:

1. Minutes of the meeting covering the public hearings, followed by the resolution taking additional action in connection with the Loan Agreements. This resolution simply sets forth the City Council's determination to enter into the Loan Agreements in the future, and its adoption constitutes the "additional action" required by the statute.
2. Certificate attesting the entire transcript.

The minutes as drafted assume that no objections will be filed or made regarding the Essential Purpose Loan Agreement and that no petition will be filed asking that the question of entering into the General Purpose Loan Agreement be submitted to the registered voters of the City. If a petition is filed asking that the proposal to enter into the General Purpose Loan Agreement be put to an election, please contact us right away.

As soon as possible after the City Council meeting, please return one fully executed copy of all of the completed pages in these proceedings.

If you have any questions, please contact Emily Hammond or me.

Best regards,

John P. Danos

Attachments

cc: Maggie Burger
Kevin Olson

RESOLUTION NO. 1464

RESOLUTION APPROVING A FIVE-YEAR AGREEMENT FOR
MAINTENANCE AND REPAIR OF PRIMARY ROADS IN MUNICIPALITIES
BETWEEN THE CITY OF WEST BRANCH AND THE IOWA DEPARTMENT
OF TRANSPORTATION

WHEREAS, the City of West Branch and the Iowa Department of Transportation wish to outline the responsibilities for maintenance and repair of the primary roads within the corporate limits of the City of West Branch; and

WHEREAS, the City of West Branch and the Iowa Department of Transportation have worked cooperatively in the past with a similar agreement; and

WHEREAS, the previous agreement is set to expire on June 30, 2016; and

WHEREAS, the Iowa Department of Transportation has provided the City with an agreement which would start on July 1, 2016 and continue through June 30, 2021; and

WHEREAS, the agreement requires the approval of the West Branch City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the aforementioned agreement with the Iowa Department of Transportation be and the same are hereby approved. Further, the Mayor is directed to execute said agreement on behalf of the City.

Passed and approved this 16th day of May, 2016.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk



SMARTER | SIMPLER | CUSTOMER DRIVEN

www.iowadot.gov



District 6 Office / Highway Division

5455 Kirkwood Blvd SW | Cedar Rapids, IA 52404

Phone: (319) 364-0235 | Fax: (319) 730-1564 | Email: Jeffrey.Tjaden@dot.iowa.gov

April 6, 2016

Ref: 832

City of West Branch

City Clerk
City of West Branch
PO Box 218
West Branch, IA 52358-0218

Dear City Clerk:

Please find enclosed the five-year Agreement for Maintenance and Repair of Primary Roads in Municipalities between the City of West Branch and the Iowa Department of Transportation. This agreement outlines the responsibilities for maintenance and repair of the primary roads within the corporate limits of the city during the period of July 1, 2016 through June 30, 2021.

Please review the document and if in agreement, please have the appropriate authority sign their approval. It will then need to be returned to our office for approval by our district office. A final copy will be returned to you for your files.

If you have any further questions, please contact me at this office.

Sincerely,

Jeff Tjaden
District Maintenance Manager

JT/dh
Enclosure



Iowa Department of Transportation

Agreement for Maintenance and Repair of Primary Roads in Municipalities

This Agreement made and entered into by and between the Municipality of West Branch, Cedar County, Iowa, hereinafter referred to as the Municipality, and the Iowa Department of Transportation, Ames, Iowa, hereinafter referred to as the Department.

AGREEMENT:

In accord with Provisions of Chapter 28E, Sections 306.3, 306.4, 313.3-5, 313.21-.23, 313.27, 313.36, 314.5, 321.348 and 384.76 of the Code of Iowa and the Iowa Administrative Rules 761 – Chapter 150 (IAC) the Municipality and Department enter into the following agreement regarding maintenance, repair and minor reconstruction of the primary roads within the boundaries of the Municipality.

I. The Department shall maintain and repair:

A. Freeways (functionally classified and constructed)

1. Maintain highway features including ramps and repairs to bridges.
2. Provide bridge inspection.
3. Highway lighting.

B. Primary Highways – Urban Cross-Section (curbed) (See Sec. II.A)

1. Pavement: Maintain and repair pavement and subgrade from face of curb to face of curb (excluding parking lanes, drainage structures, intakes, manholes, public or private utilities, sanitary sewers and storm sewers).
2. Traffic Services: Provide primary road signing for moving traffic, pavement marking for traffic lanes, guardrail, and stop signs at intersecting streets.
3. Drainage: Maintain surface drainage within the limits of pavement maintenance described in I.B.1 above.
4. Snow and Ice Removal: Plow traffic lanes of pavement and bridges and treat pursuant to the Department's policy.
5. Vehicular Bridges: Structural maintenance and painting as necessary.
6. Provide bridge inspection.

C. Primary Highways – Rural Cross-Section (uncurbed) (See II.B)

1. Maintain, to Department standards for rural roads, excluding tree removal, sidewalks, and repairs due to utility construction and maintenance.

D. City Streets Crossing Freeway Rights of Way (See II.C)

1. Roadsides within the limits of the freeway fence.
2. Surface drainage of right of way.
3. Traffic signs and pavement markings required for freeway operation.
4. Guardrail at piers and bridge approaches.
5. Bridges including deck repair, structural repair, berm slope protection and painting.
6. Pavement expansion relief joints and leveling of bridge approach panels.

II. The Municipality shall maintain and repair:

A. Primary Highways – Urban Cross-Section (curbed) (See Sec. I.B)

1. Pavement: Maintain and repair pavement in parking lanes, intersections beyond the limits of state pavement maintenance; curbs used to contain drainage; and repairs to all pavement due to utility construction, maintenance and repair.
2. Traffic Services: Paint parking stalls, stop lines and crosswalks. Maintain, repair and provide energy to traffic signals and street lighting.
3. Drainage: Maintain storm sewers, manholes, intakes, catch basins and culverts used for collection and disposal of surface drainage.

4. Snow and ice removal: Remove snow windrowed by state plowing operations, remove snow and ice from all areas outside the traffic lanes and load or haul snow which the Municipality considers necessary. Remove snow and ice from sidewalks on bridges used for pedestrian traffic.
5. Maintain sidewalks, retaining walls and all areas between curb and right-of-way line. This includes the removal of trees as necessary and the trimming of tree branches as necessary.
6. Clean, sweep and wash streets when considered necessary by the Municipality.
7. Maintain and repair pedestrian overpasses and underpasses including snow removal, painting and structural repairs.

B. Primary Highways – Rural Cross-Section (uncurbed) (See Sec. I.C)

1. Maintain and repair highway facilities due to utility construction and maintenance.
2. Removal of trees as necessary and the trimming of tree branches as necessary.
3. Maintain sidewalks.

C. City Streets Crossing Freeway Rights of Way (See I.D)

1. All pavement, subgrade and shoulder maintenance on cross streets except expansion relief joints and bridge approach panel leveling.
2. Mark traffic lanes on the cross street.
3. Remove snow on the cross street, including bridges over the freeway.
4. Clean and sweep bridge decks on streets crossing over freeway.
5. Maintain all roadside areas outside the freeway fence.
6. Maintain pedestrian overpasses and underpasses including snow removal, painting, lighting and structural repair.

III. The Municipality further agrees:

- A. That all traffic control devices placed by the Municipality on primary roads within the Municipal boundaries shall conform to the "Manual on Uniform Traffic Control Devices for Streets and Highways."
- B. To prevent encroachment or obstruction within the right of way, the erection of any private signs on the right of way, or on private property which may overhang the right of way and which could obstruct the view of any portion of the road or the traffic signs or traffic control devices contrary to Section 318.11 of the Code of Iowa.
- C. To comply with all current statutes and regulations pertaining to overlength and overweight vehicles using the primary roads, and to issue special permits for overlength and overweight vehicles only with approval of the Department.
- D. To comply with the current Utility Accommodation Policy of the Department.
- E. To comply with the access control policy of the Department by obtaining prior approval of the Department for any changes to existing entrances or for the construction of new entrances.

IV. Drainage district assessments levied against the primary road within the Municipality shall be shared equally by the Department and the Municipality.

V. Major construction initiated by the Department and all construction initiated by the Municipality shall be covered by separate agreements.

VI. The Department and the Municipality may by a separate annual Supplemental Agreement, reallocate any of the responsibilities covered in Section I of this agreement.

VII. This Agreement shall be in effect for a five year period from July 1, 2016 to June 30, 2021

IN WITNESS WHEREOF, The Parties hereto have set their hands, for the purposes herein expressed, on the dates indicated below.

City of West Branch _____
MUNICIPALITY

IOWA DEPARTMENT OF TRANSPORTATION

By _____

BY _____
District Engineer

Date _____

Date _____

RESOLUTION NO. 1465

RESOLUTION AWARDING THE CONSTRUCTION CONTRACT FOR THE MAIN STREET INTERSECTIONS AND SIDEWALK IMPROVEMENTS PROJECT.

WHEREAS, the City Council of the City of West Branch, Iowa, has heretofore deemed it necessary and desirable to construct Main Street Intersection and Sidewalk Improvements including all labor, equipment, and materials necessary for approximately 1,042 square yards of paving and sidewalk removal, 493 square yards of 4" PCC sidewalk, HMA sidewalk, 198 square yards of 7" PCC pavement, 38 linear feet of storm sewer, pavement markings, retaining walls, fixture adjustments, hydrant relocation, excavation, traffic control, seeding, and associate work, said project having been referred to as the "Main Street Intersections and Sidewalk Improvements Project" for the City of West Branch, Iowa (the "Project"); and

WHEREAS, the bids for the aforementioned project were received, opened and tabulated as per published notice therefor on May 12, 2016; and

WHEREAS, the bid of _____, was the lowest responsive, responsible bid received; and

WHEREAS, said bid was in the amount of \$_____; and

WHEREAS, the Project Engineer has heretofore reviewed the bids and recommended that the City Council approve and accept the aforementioned bid for said project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the bid of _____, in the amount of \$_____ be and the same is hereby accepted and approved and the construction contract is awarded to _____.

BE IT FURTHER RESOLVED that the Mayor is hereby directed to execute the construction contract on behalf of the City.

* * * * *

Passed and approved this 16th day of May, 2016.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

RESOLUTION NO. 1466

A RESOLUTION HIRING TWO YOUTH COUNSELORS AS TEMPORARY PARKS AND RECREATION EMPLOYEES FOR THE CITY OF WEST BRANCH, IOWA AND SETTING THE SALARY FOR THE POSITIONS FOR FISCAL YEAR 2015-2016.

BE IT RESOLVED by the Council of the City of West Branch, Iowa:

Section 1. That the City of West Branch, Iowa will hire Morgan Stoolman and Maddie Lynch as temporary youth counselors.

Section 2. The following persons and positions named shall be paid the hourly wage indicated and the City Clerk is authorized to issue warrants/checks, less legally required or authorized deductions for the amounts set out below, and make such contributions to IPERS and Social Security or other purposes as required by law or authorization of the Council:

Position	Name	Wage	Basic Hours
Youth Counselor	Maddie Lynch	\$10.50/hour	Temporary
Youth Counselor	Morgan Stoolman	\$11.00/hour	Temporary

SECTION 3. The above named employees are subject to the City of West Branch Personnel Policies and Procedures applicable to their department.

SECTION 4. This resolution will be effective upon final passage of the City Council.

SECTION 5. The hourly wage established in this resolution shall be effective upon final passage of the City Council.

Passed and Approved this 16th day of May, 2016.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

RESOLUTION NO. 1467

A RESOLUTION APPROVING THE PURCHASE OF A CAMERA SECURITY SYSTEM FOR THE WEST BRANCH CITY OFFICE

WHEREAS, the West Branch Library/IT Director Nick Shimmin briefed the City Council on security cameras at the West Branch Public Library at the November 16, 2015 City Council Meeting; and

WHEREAS, at that same meeting, Library/IT Director Nick Shimmin presented the City Council with a bid for installation of a similar system at the City Offices; and

WHEREAS, at that same meeting, the City Council directed staff to solicit a bid from at least one more provider; and

WHEREAS, two bids were accepted from local providers and the lowest bid submitted was from Midwest Wireless, LLC in the amount of \$1,699.00; and

WHEREAS, it is now necessary for the City Council to accept the lowest bid.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the City Council approves the purchase and installation of a camera security system from Midwest Wireless, LLC in the amount of \$1,699.00.

Passed and approved this 16th day of May, 2016.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk



563-386-7344
800-383-5419

City of West Branch
Matt Muckler

November 5, 2015

1 - ALI-HVR3008H - 8 channel HD Analog DVR	\$244.00	\$244.00
6 - XD-ALHC10028 - HD-TV1 1080p Dome Camera	\$ 85.00	\$510.00
1 - Microphone	\$ 40.00	\$ 40.00
6 - Cables		\$ 85.00
1 - Hard Drive 1 TB	\$150.00	\$150.00
1 - XD-NBAA12128 Power Supply	\$ 70.00	\$ 70.00
Installation		\$600.00
TOTAL		\$1,699.00

System allows for 1 audio feed on Camera 1
1 year warranty on equipment



"Helping you Communicate"

5915 Brady St. Davenport, Iowa 52806



Sparrow Technologies
 7261 SE 45th St
 Carlisle, IA 50047

Estimate

Date	Estimate #
12/9/2015	2289

Name / Address
City of West Branch 110 N Poplar St West Branch, IA 52358

Ship To

Item	Description	Qty	Cost	Total
	Install 6 security cameras and DVR (3 inside, 3 outside)			
8-Channel DVR	8-Channel DVR		699.99	699.99T
SecurityCamera	Security Dome Camera	6	109.99	659.94T
Power Supply B...	Power Supply Box 9 Channel 12V	1	89.99	89.99T
Coaxial Cable	Security Coaxial Cable per Foot	500	0.22	110.00T
SERVICE-Onsite	On-Site Service	6	65.00	390.00
		Subtotal		\$1,949.92
		Sales Tax (6.0%)		\$93.60
		Total		\$2,043.52

ORDINANCE NO. 740

AN ORDINANCE AMENDING CHAPTER 165 “ZONING REGULATIONS.”

WHEREAS, the city staff of the City of West Branch, Iowa, believes that allowances for temporary directional signage for open house events in the city right-of-way should be allowed the Code section related to “For Sale” and “To Rent” signs; and

WHEREAS, the city staff of the City of West Branch, Iowa, believes that a clarification in the language contained within *Section 165.43 SIGNS* in the Zoning Code will aide Realtors and others wishing to buy and sell homes; and

WHEREAS, local Realtors have reviewed and provided input on these recommendations; and

WHEREAS, the City Council of the City of West Branch, Iowa has reviewed these recommendations and concurs with the city staff.

NOW, THEREFORE, BE IT ORDAINED:

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 “ZONING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by revising the following subsection to Chapter 165:

165.43 SIGNS. – Amend as follows:

165.43(1) Permitted Signs, R District.

165.43(1) (B) “For Sale” and “To Rent” Signs, subject to the following:

165.43(1) (B) (2) No sign shall project beyond the property line into the public way, **except for an open house or similar event. For an open house, portable off-premises residential directional signs announcing directions to a specific residence open house for sale or rent shall not exceed 42 inches in height. These signs may be located on the right-of-way outside of vehicular and bicycle lanes, but shall only be permitted for 48 hours prior to the open house and must be removed immediately after the open house.**

2. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.

3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
4. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 6th day of June, 2016.

First Reading: June 6, 2016

Second Reading:

Third Reading:

Roger Laughlin, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

RESOLUTION NO. 1469

ORDERING NOTICE OF PUBLIC HEARING ON PROPOSED PLANS AND SPECIFICATIONS, PROPOSED FORM OF CONTRACT AND ESTIMATE OF COST FOR CONSTRUCTION OF MAIN STREET SIDEWALK IMPROVEMENTS – PHASE 3 PROJECT FOR THE CITY OF WEST BRANCH, IOWA, AND THE TAKING OF BIDS THEREFOR

WHEREAS, the City Council intends to complete the Main Street Sidewalk Improvements –Phase 3 Project as a continuation of efforts to partner with local businesses to replace downtown sidewalks.

NOW, THEREFORE, It Is Resolved by the Council of the City of West Branch, Iowa, that the City Clerk is hereby directed to give notice in substantially the following form:

* * * * *

Passed and approved this 16th day of May, 2016.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk



MANHOLE ADJUSTMENT
(1 EA)

PROTECT LIGHT

6" HMA FILLET
(49 TONS)

6" PCC
SIDEWALK
(248 SY)

PROTECT LIGHT

N. DOWNEY STREET

PROTECT LIGHT

REMOVE & INSTALL SIGN
(1 EA)

MAIN STREET

DATE	REVISIONS	SCALE	AS NOTED
		DRAWN	EDG
		CHECKED	EDG
		APPROVED	EDG
		DATE	5/4/16
		ISSUED FOR	REVIEW

VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING.
0 [Scale Bar] 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.



WEST BRANCH
IOWA

860 22nd Avenue • Suite 4 • Coralville, Iowa 52241-1565
319-466-1000 • 319-466-1000(FAX) • 800-241-9001(WATS)

N. DOWNEY SIDEWALK

DWG. NO.
1
###



No.	Description	Unit	Unit Price	Quantity	Extended Price
1	MOBILIZATION	LS	\$6,500.00	LS	\$6,500.00
2	CONSTRUCTION STAKING	LS	\$2,000.00	LS	\$2,000.00
3	TRAFFIC CONTROL	LS	\$2,000.00	LS	\$2,000.00
4	PAVEMENT REMOVAL	SY	\$15.00	156	\$2,340.00
5	RMVL SIDEWALK	SY	\$15.00	248	\$3,720.00
6	RMVL & REINSTALL SIGN	EA	\$200.00	1	\$200.00
7	FIXTURE ADJUSTMENT				
	7.1 WATER VALVE	EA	\$150.00	5	\$750.00
	7.2 MANHOLE	EA	\$300.00	1	\$300.00
8	MODIFIED SUBBASE	CY	\$76.00	100	\$7,600.00
9	HMA FILLET, 1 M	TON	\$180.00	50	\$9,000.00
10	SIDEWALK, PCC, 6"	SY	\$60.00	248	\$14,880.00
11	CURB BUILDING FILLET, PCC	LF	\$30.00	250	\$7,500.00
12	DETECTABLE WARNING & CURB RAMP	SF	\$35.00	30	\$1,050.00

Subtotal \$57,840.00
 Contingency 10% \$5,784.00

Construction Total \$63,700.00

Engineering, Legal, Administrative Services 15% \$9,600.00

Project Total \$73,300.00

ENGINEERS ESTIMATE \$58,000.00

RESOLUTION NO. 1460

RESOLUTION APPROVING A VARIANCE FOR STREET GRADES IN THE MEADOWS
SUBDIVISION – PART 2.

WHEREAS, KLM Investments, Inc. (“KLM”), is the owner of that certain parcel of real estate generally referred to as the Meadows Subdivision; and

WHEREAS, KLM has submitted a preliminary plat for the Meadows Subdivision – Part 2, West Branch, Iowa; and

WHEREAS, in accordance with the City’s subdivision regulations, street grades, whenever feasible, shall not exceed five percent (5%), with due allowance for reasonable vertical curves; and

WHEREAS, the City’s subdivision regulations also state that in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this chapter would result in extraordinary hardship to the subdivider, because of unusual topography or other conditions, the Council may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured. Provided, however, such variance, modification or waiver will not have the effect of nullifying the intent and purpose of this chapter. In no case shall any variance or modification be more than minimum easing of the requirements, and in no instance shall it be in conflict with any zoning ordinance and such variances and waivers may be granted only by the affirmative vote of three-fourths (3/4) of the members of the Council, and must conform to Zoning Ordinance and State Code regarding granting of variances by the Board of Adjustment; and

WHEREAS, KLM Investments, Inc. is requesting a variance for a street grade of 8% on Sullivan Street; and

WHEREAS, it is now necessary for the City Council to formally approve said variance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the aforementioned variance be and the same is hereby approved.

Passed and approved this 6th day of June, 2016.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

RESOLUTION NO. 1461

RESOLUTION APPROVING A SUBDIVIDER'S AGREEMENT WITH KLM INVESTMENTS, INC., IN CONNECTION WITH THE MEADOWS SUBDIVISION – PART 2, WEST BRANCH, IOWA.

WHEREAS, KLM Investments, Inc. (“KLM”), is the owner of that certain parcel of real estate generally referred to as the Meadows Subdivision; and

WHEREAS, KLM has submitted a preliminary plat for the Meadows Subdivision – Part 2, West Branch, Iowa; and

WHEREAS, in accordance with the City's subdivision regulations, KLM, as part of plat approval, will need to construct certain municipal improvements, namely streets, sidewalks, storm sewer, water and sanitary sewer improvements; and

WHEREAS, the City Attorney has drafted a Subdivider's Agreement which outlines the responsibilities of KLM with respect to said Meadows Subdivision – Part 2; and

WHEREAS, it is now necessary for the City Council to formally approve said Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the aforementioned Subdivider's Agreement be and the same is hereby approved. Further, the Mayor and City Clerk are authorized to execute said Subdivider's Agreement on behalf of the City. Further, the City Clerk shall record said Subdivider's Agreement, along with the required documents outlined in Chapter 354 of the Code of Iowa when the final plat of the Meadows Subdivision – Part 2 has been formally approved.

Passed and approved this 6th day of June, 2016.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

CITY OF WEST BRANCH, IOWA/SUBDIVIDER'S AGREEMENT

THE MEADOWS SUBDIVISION, PART TWO

This Agreement is made by and between KLM Investments, L.L.C., an Iowa limited liability company, hereinafter referred to as the "Subdivider", and the City of West Branch, Iowa, a Municipal corporation, hereinafter referred to as the "City".

WITNESSETH

SECTION 1. MUNICIPAL IMPROVEMENTS; CONSTRUCTION AND INSTALLATION OF MUNICIPAL IMPROVEMENTS.

In consideration of the city approving the plat and subdivision of real estate known and designated as The Meadows Subdivision, Part Two, West Branch, Iowa, prior to Subdivider's installation and construction of the required municipal improvements, Subdivider shall make escrow provisions as provided herein. Municipal improvements shall include a 29-foot PCC street known as Sullivan Street, a 29-foot PCC street known as Ridge View Drive, sanitary sewers, water mains, storm sewers, sump-pump line, and street lighting. Said municipal improvements shall be constructed and installed in accordance with construction plans and specifications approved by the City Engineer of the City who shall have the right to make or authorize occasional inspections of the work in progress. Said inspections shall not relieve or release the Subdivider from the responsibility to construct the municipal improvements in accordance with the approved plans and specifications.

SECTION 2. SIDEWALKS.

The Subdivider agrees that no later than three (3) years from the date of the City's Resolution approving the Final Plat of The Meadows Subdivision, Part Two, West Branch, Iowa, or upon seventy-five percent (75%) of the development of the lots therein, whichever occurs first, to install sidewalks abutting each lot which shall be at least five (5) feet wide and constructed according to the plans and specifications as approved by the City Engineer. The escrow provision need not include the sidewalk installation, however, the same shall remain a lien against each lot until accepted and released by the City.

SECTION 3. ESCROW MONIES

The Subdivider shall deposit with the City Clerk in escrow an amount equal to the estimated cost of constructing the municipal improvements plus 10% thereof as determined by the City Engineer and said deposit shall be referred to as "Municipal Improvements Escrow". The escrow deposit shall be in the form of cash, bank check that will be cashed, bond or irrevocable letter of credit, all as approved by the City Attorney.

{00259418.DOC}

SECTION 4. USE OF ESCROW MONIES

If, after one year from the date of the City's resolution approving the preliminary plat of the subdivision, the municipal improvements have not been constructed and installed for the subdivision, then City may use and/or make demand upon the municipal improvements escrow to construct and install said municipal improvements. The City shall release any bond or letter of credit or refund to the Subdivider any portions of or any excess escrow monies not used by the City after construction, installation and acceptance of all of the municipal improvements. Any cash or check held in escrow shall be released as needed for payment of the costs of the improvements.

In addition, the City may make use of any of the proceeds of the security provided by Subdivider in order to enforce the erosion control requirements pursuant to Section 170.15(15) of the West Branch Code of Ordinances.

SECTION 5. WAIVER

In the event the Subdivider shall sell or convey or make application for a building permit on any lot or lots in the subdivision without having first constructed and installed all the municipal improvements for the subdivision, then the City shall have the right to proceed therewith as provided in Section 3 above.

SECTION 6. LIEN

The costs of the construction and installation of the municipal improvements shall be a lien and charged against all lots in said subdivision and need not meet the requirements of notice, benefit or value as provided for by the Code of Iowa for assessing said municipal improvements which may exceed the municipal improvements escrow.

SECTION 7. RELEASE

The City agrees that when all municipal improvements have been constructed and installed for the subdivision, to the satisfaction of the City and upon acceptance by resolution, to furnish the Subdivider a good and sufficient Release for filing in the office of the County Recorder so that this Agreement will not constitute a cloud upon the title.

SECTION 8. PUBLIC SERVICES.

Subdivider agrees that public services including, street maintenance, snow plowing, water and sanitary sewer service, will not be provided in said subdivision until the municipal improvements have been constructed, installed and accepted by the City.

{00259418.DOC}

SECTION 9. SECOND ACCESS REQUIRED.

The Subdivider expressly acknowledges and agrees that no additional phase of The Meadows shall be submitted to or approved by the City until such time as a secondary street access is connected to W. Main Street.

SECTION 10. PAYMENT OF SANITARY SEWER CONNECTION FEE.

Prior to the approval of the final plat of the Meadows Subdivision Part 2, the Subdivider shall pay to the City the sum of \$_____ as payment of the Sanitary Sewer Connection Fee District.

SECTION 11. TWO-FAMILY RESIDENTIAL ZONING DISTRICT LOTS.

The parties expressly agree that Lots 30-35 are currently zoned R-2, Two-Family Residential District.

SECTION 12. STORM WATER EROSION CONTROL AND TOPSOIL REQUIREMENTS.

Subdivider or its assigns or successors in interest shall be responsible for the maintenance of appropriate erosion control measures during construction of the infrastructure and during building of any structures in the Subdivision. In addition, the Subdivider shall be responsible for the placement of 4-inches of topsoil or allowed substitute upon each lot after the structures have been constructed prior to the issuance of any occupancy permit for said structure.

Subdivider or its assigns or successors in interest shall be responsible for the construction of a stormwater best management practice approved by the City in the stormwater easement that lies south of lots 20-24. The stormwater best management practice will be designed by a licensed engineer and approved by the City. The Subdivider will then construct the stormwater best management practice at the Subdivider's expense.

SECTION 13. PARKS/TRAILS.

As required by the comprehensive plan, the Subdivider expressly agrees and acknowledges that future phases of The Meadows subdivisions shall include useable park and open space as required by the comprehensive plan. The Subdivider expressly acknowledges and agrees that no additional phase of The Meadows shall be approved by the City until such time as the Subdivider provides the City at no cost to the City with at least four acres of useable park and open space. The Subdivider expressly agrees that the City will determine what constitutes useable park and open space.

{00259418.DOC}

SECTION 14. ASSIGNS AND SUCCESSORS

This agreement shall be binding upon the parties, their assigns or successors in interest and it is understood that the City, at its option, may contract for the construction and installation of the municipal improvements as provided above.

Dated this ____ day of _____, 2016.

KLM Investments, LLC:

City of West Branch:

By: _____
 , Manager

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

DRAFT

STATE OF IOWA, COUNTY OF CEDAR, ss:

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roger Laughlin and Matt Muckler, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of West Branch, Iowa; a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as passed by Resolution of the City Council; and Roger Laughlin and Matt Muckler acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Notary Public

STATE OF IOWA, COUNTY OF CEDAR, ss:

This instrument was acknowledged before me on the ____ day of _____, 2016, by _____ as Manager of KLM Investments, L.L.C.

Notary Public



May 5, 2016

Matt Muckler, City Administrator
City of West Branch
110 North Poplar St
West Branch, IA 52358

RE: Preliminary Plat for The Meadows Subdivision – Part 2

Dear Mr. Muckler:

I am writing this letter on behalf of KLM Investments, Inc. the developer of “The Meadows”.

During the development of the Preliminary Plat for The Meadows Subdivision - Part 2, the City of West Branch expressed concern about storm water problems on Lot 82, Pedersen Valley Part Four to West Branch. KLM Investments, Inc. and MMS Consultants, Inc. have devised a plan to help solve the storm water issue since the overland route between Lots 81 and 82 of Pedersen Valley Part Four was not constructed.

I am enclosing a photo of the west end of the existing Sullivan Street. You will notice the crack in the pavement in the photo.

The Preliminary Plat depicts removal and replacement of an existing 18” PE storm sewer and FES in Lot 82. This is shown primarily to replace the FES with an area intake which is less intrusive in a yard. The existing street intake adjacent to Lot 82 is depicted to be removed to allow an intake with a longer opening to be installed to adequately intercept runoff from The Meadows – Part 2.

The developer is asking the City of West Branch to pay for the removal and replacement of the cracked pavement on Sullivan Street and the intake storm pipe and flared end section located on Lot 82.

Should the City of West Branch feel that the pavement on Sullivan Street not be replaced, the developer reserves the right to move the new intake on the north side of the street westerly so that the new intake is directly north of the intake on the south side of the street. Also, should the City of West Branch not wish to pay for removal and replacement of pipe and structures in Lot 82, the developer reserves the right to leave the existing structures in place.



MMS Consultants, Inc.
Experts in Planning and Development Since 1975

1917 S. Gilbert Street
Iowa City, Iowa 52240

319.351.8282

mmsconsultants.net
mms@mmsconsultants.net

Thank you for your assistance in approving the Preliminary Plat of The Meadows Subdivision – Part 2. Please include this letter and photograph in the council packet for consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "Glen D. Meisner".

Glen D. Meisner, PE & PLS

T:\8815\8815-003-\8815003L1.docx

Environmental Specialists

Landscape Architects

Land Planners

Land Surveyors

Civil Engineers



43

RESOLUTION NO. 1462

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF MEADOWS SUBDIVISION
– PART 2, A SUBDIVISION TO WEST BRANCH, IA

WHEREAS the owner, KLM Investments, Inc, has filed with the City Clerk of the City of West Branch, Iowa, a preliminary plat of the following described real estate situated within the corporate limits of the City of West Branch, Cedar County, Iowa, to-wit:

BEGINNING AT THE NORTHEAST CORNER OF THE MEADOWS SUBDIVISION - PART ONE, WEST BRANCH, CEDAR COUNTY, IOWA, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF; THENCE S79°28'59"E, ALONG THE NORTH LINE OF SAID THE MEADOWS SUBDIVISION - PART ONE, 369.96 FEET; THENCE S14°37'27"E, ALONG SAID NORTH LINE, 41.90 FEET; THENCE S67°25'19"W, ALONG SAID NORTH LINE, 200.62 FEET; THENCE S22°34'41"E, ALONG SAID NORTH LINE, 20.16 FEET; THENCE S67°25'19"W, ALONG SAID NORTH LINE, 174.26 FEET, TO THE NORTHWEST CORNER THEREOF; THENCE N32°15'55"W, 472.62 FEET; THENCE N61°03'30"E, 271.17 FEET; THENCE S28°56'30"E, 23.66 FEET; THENCE N61°03'30"E, 68.43 FEET; THENCE S88°48'26"E, 80.24 FEET; THENCE S15°39'23"E, 32.45 FEET; THENCE N77°42'45"E, 246.77 FEET; THENCE N86°46'30"E, 234.27 FEET; THENCE S86°03'04"E, 75.92 FEET, TO A POINT ON THE WEST LINE OF PEDERSON VALLEY, PART FOUR, WEST BRANCH, CEDAR COUNTY, IOWA, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF; THENCE S00°51'21"W, ALONG SAID WEST LINE, 300.23 FEET, TO SAID POINT OF BEGINNING, CONTAINING 7.75 ACRES, AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD; and

WHEREAS, said property is owned by the above-named owner; and

WHEREAS, the Plat has been examined by the Planning and Zoning Commission of the City of West Branch, Iowa, which recommended that such plat be accepted and approved; and

WHEREAS, the City Council of the City of West Branch, Iowa, finds that said plat complies with the statutes of the State of Iowa and the Ordinances for the City of West Branch, Iowa, relative to plats, additions and subdivisions within the corporate limits of the City of West Branch, Iowa.

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Branch, Iowa, that said preliminary plat and subdivision located on the above-described property be and the same is hereby approved.

Passed, approved and adopted this 6th day of June, 2016.

Roger Laughlin, Mayor

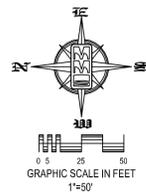
ATTEST:

Matt Muckler, City Administrator/Clerk

GRADING AND EROSION CONTROL PLAN

THE MEADOWS SUBDIVISION - PART 2

WEST BRANCH, IOWA



PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 S. GILBERT STREET
IOWA CITY, IA 52240

OWNER/SUBDIVIDER:
KLM INVESTMENTS, INC.
25 EASTVIEW PLACE NE
IOWA CITY, IA 52240

SUBDIVIDER'S ATTORNEY:
MICHAEL W. KENNEDY
920 S. DUBUQUE STREET
IOWA CITY, IA 52240

EROSION CONTROL LEGEND

	SILT FENCE/FILTER SOCK		PERIMETER SILT FENCE
	TEMPORARY ROCK CONSTRUCTION ENTRANCE/EXIT		TEMPORARY SOIL STOCKPILE AREA
	TEMPORARY PARKING AND STORAGE		DIRECTION OF OVERLAND FLOW
	CONCRETE TRUCK/EQUIPMENT WASHOUT		DUMPSTER FOR CONSTRUCTION WASTE
	PORTABLE RESTROOM		RIP RAP OUTLET PROTECTION
	DOCUMENT LOCATION (PERMITS, SWPPP, INSPECTION FORMS, ETC.)		OTHER MEASURE: _____
	FILTER SOCK INLET PROTECTION		OTHER MEASURE: _____
	FILTER SOCK BEHIND CURB AT CURB RAMP		OTHER MEASURE: _____

THE ABOVE LISTED ITEMS ARE SHOWN IN THEIR RECOMMENDED LOCATIONS. IF A CONTROL MEASURE IS ADDED OR MOVED TO A MORE SUITABLE LOCATION, INDICATE THE REVISION ON THIS SHEET. THE BLANKS LEFT FOR OTHER MEASURES SHOULD BE USED IF AN ITEM NOT SHOWN ABOVE IS IMPLEMENTED ON SITE. ADDITIONAL PRACTICES FOR EROSION PREVENTION AND SEDIMENT CONTROL CAN BE FOUND IN APPENDIX D OF THE SWPPP.

THE MEADOWS SUBDIVISION, PART 2

WEST BRANCH, IOWA

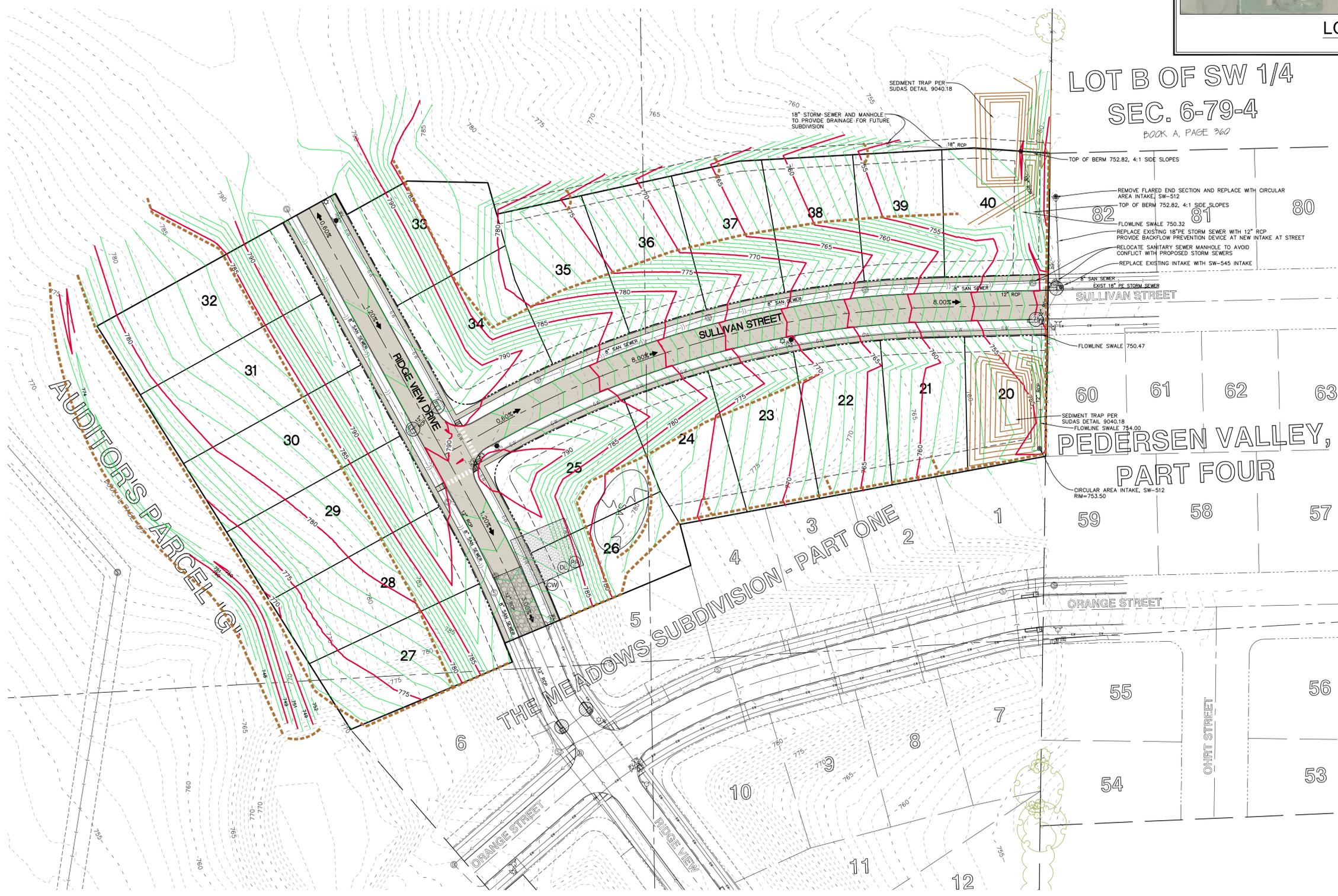
LOCATION MAP

NOT TO SCALE

7.75 ACRES

CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(319) 351-8282
www.mmsconsultants.net



STANDARD LEGEND AND NOTES

	PROPERTY &/or BOUNDARY LINES
	CONGRESSIONAL SECTION LINES
	RIGHT-OF-WAY LINES
	EXISTING RIGHT-OF-WAY LINES
	CENTER LINES
	EXISTING CENTER LINES
	LOT LINES, PLATTED OR BY DEED
	PROPOSED EASEMENT LINES
	EXISTING EASEMENT LINES
	BENCHMARK
	RECORDED DIMENSIONS
	CURVE SEGMENT NUMBER

	EXIST		PROP
	POWER POLE		POWER POLE W/DROP
	POWER POLE W/TRANS		POWER POLE W/LIGHT
	GUY POLE		LIGHT POLE
	SANITARY MANHOLE		FIRE HYDRANT
	WATER VALVE		DRAINAGE MANHOLE
	CURB INLET		FENCE LINE
	EXISTING SANITARY SEWER		PROPOSED SANITARY SEWER
	EXISTING STORM SEWER		PROPOSED STORM SEWER
	WATER LINES		ELECTRICAL LINES
	TELEPHONE LINES		GAS LINES
	CONTOUR LINES (1' INTERVAL)		PROPOSED GROUND
	EXISTING TREE LINE		EXISTING DECIDUOUS TREE & SHRUB
	EXISTING EVERGREEN TREES & SHRUBS		

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.

EROSION CONTROL NOTES

- SEDIMENT TRAPS IN LOTS 20 AND 40 SHALL BE COMPLETELY INSTALLED AND FUNCTIONAL PRIOR TO STRIPPING TOPSOIL AND ALL OTHER SOIL DISTURBING ACTIVITIES.
- INSTALL ALL PERIMETER DOWN SLOPE SILT FENCE, CONSTRUCTION ENTRANCE, CONCRETE WASH OUT, PORTABLE SANITARY FACILITY, AND SWPPP DOCUMENT STORAGE DEVICE PRIOR TO COMMENCING STRIPPING TOP SOIL AND ALL OTHER SOIL DISTURBING ACTIVITIES.
- MAINTAIN A SILT FENCE ACROSS THE EXISTING TERMINATION OF SULLIVAN STREET UNTIL PREPARATION OF STREET SUB GRADE FOR PAVING IS UNDERWAY. SULLIVAN STREET SHALL NOT BE USED FOR A CONSTRUCTION ENTRANCE DURING CONSTRUCTION OF THE SUBDIVISION.
- FOLLOWING COMPLETION OF CONSTRUCTION ACTIVITIES, ALL COMPACTED SOIL SURFACES SHALL BE DEEP TILLED PRIOR TO RE-SPREADING TOP SOIL. ALL DISTURBED AREAS SHALL BE SEEDED WITH TEMPORARY SEEDING PER SUDAS SPEC SECTION 9010.
- THE TWO SEDIMENT TRAPS SHALL REMAIN IN SERVICE UNTIL THE LOT DIRECTLY WEST OF EITHER TRAP OR THE LOT WHERE THE TRAP IS LOCATED HAS A HOUSE CONSTRUCTED AND THE YARD IS ESTABLISHED.

GRADING AND EROSION CONTROL PLAN

THE MEADOWS SUBDIVISION - PART 2

WEST BRANCH CEDAR COUNTY IOWA

MMS CONSULTANTS, INC.

Date: 02-12-16

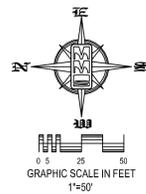
Designed By: PVA Field Book No:

Drawn By: JDM Scale: 1"=50'

Checked By: GDM Sheet No: 1

Project No: IOWA CITY 8815003 of 1

PRELIMINARY PLAT THE MEADOWS SUBDIVISION - PART 2 WEST BRANCH, IOWA



PLAT PREPARED BY:
MMS CONSULTANTS INC.
1917 S. GILBERT STREET
IOWA CITY, IA 52240

OWNER/SUBDIVIDER:
KLM INVESTMENTS, INC.
25 EASTVIEW PLACE NE
IOWA CITY, IA 52240

SUBDIVIDER'S ATTORNEY:
MICHAEL W. KENNEDY
920 S. DUBUQUE STREET
IOWA CITY, IA 52240

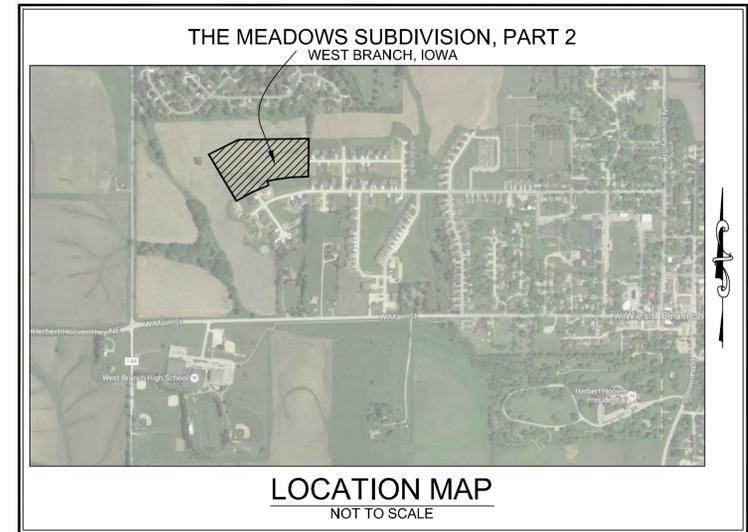
LEGAL DESCRIPTION
BEGINNING AT THE NORTHEAST CORNER OF THE MEADOWS SUBDIVISION - PART ONE, WEST BRANCH, CEDAR COUNTY, IOWA, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF; THENCE S79°28'59"E, ALONG THE NORTH LINE OF SAID THE MEADOWS SUBDIVISION - PART ONE, 369.96 FEET; THENCE S14°37'27"E, ALONG SAID NORTH LINE, 41.90 FEET; THENCE S67°25'19"W, ALONG SAID NORTH LINE, 200.62 FEET; THENCE S22°34'41"E, ALONG SAID NORTH LINE, 20.16 FEET; THENCE S67°25'19"W, ALONG SAID NORTH LINE, 174.26 FEET, TO THE NORTHWEST CORNER THEREOF; THENCE N32°19'55"W, 472.62 FEET; THENCE N61°03'30"E, 271.17 FEET; THENCE S28°56'30"E, 23.66 FEET; THENCE N61°03'30"E, 68.43 FEET; THENCE S88°48'26"E, 80.24 FEET; THENCE S15°39'23"E, 32.45 FEET; THENCE N77°42'45"E, 246.77 FEET; THENCE N86°46'30"E, 234.27 FEET; THENCE S86°03'04"E, 75.92 FEET, TO A POINT ON THE WEST LINE OF PEDERSON VALLEY, PART FOUR, WEST BRANCH, CEDAR COUNTY, IOWA, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF; THENCE S00°51'21"W, ALONG SAID WEST LINE, 300.23 FEET, TO SAID POINT OF BEGINNING, CONTAINING 7.75 ACRES, AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

DEVELOPMENT CHARACTERISTICS
CURRENT ZONING IS R-1 RESIDENTIAL
ALL ADJACENT PROPERTIES ARE R-1 ZONING
PROPOSED ZONING IS LISTED IN THE FOLLOWING TABLE:

LOTS 20 THROUGH 29, 36 THROUGH 40
R-1 RESIDENTIAL
R-1 RESIDENTIAL REQUIREMENTS
MINIMUM LOT AREA 7,700 SF
MINIMUM SETBACK FRONTAGE 70 FEET
FRONT YARD SETBACK 25 FEET
SIDE YARD SETBACK 8 FEET
REAR YARD SETBACK 25 FEET

LOTS 30 THROUGH 35
R-2 RESIDENTIAL
R-2 RESIDENTIAL REQUIREMENTS
MINIMUM LOT AREA 8,400 SF
MINIMUM SETBACK FRONTAGE 70 FEET
FRONT YARD SETBACK 25 FEET
SIDE YARD SETBACK 8 FEET
REAR YARD SETBACK 25 FEET

REQUESTED VARIANCES:
1. A MAXIMUM OF 8% STREET GRADE FOR SULLIVAN STREET IS REQUESTED.
2. THE REQUIRED MID-BLOCK CROSSING ON SULLIVAN STREET IS REQUESTED TO NOT BE REQUIRED DUE TO STREET GRADES ON SULLIVAN STREET.



7.75 ACRES



CIVIL ENGINEERS
LAND PLANNERS
LAND SURVEYORS
LANDSCAPE ARCHITECTS
ENVIRONMENTAL SPECIALISTS

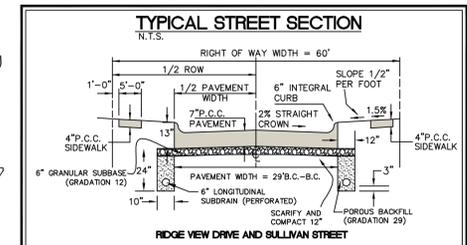
1917 S. GILBERT ST.
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(319) 351-8282
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STANDARD LEGEND AND NOTES

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—	EXISTING CENTER LINES
—	LOT LINES, INTERNAL
—	LOT LINES, PLATTED OR BY DEED
—	PROPOSED EASEMENT LINES
—	EXISTING EASEMENT LINES
—	BENCHMARK
—	RECORDED DIMENSIONS
—	CURVE SEGMENT NUMBER
—	22-1
—	PRO-P
—	POWER POLE
—	POWER POLE W/DROP
—	POWER POLE W/TRANS
—	POWER POLE W/LIGHT
—	GUY POLE
—	LIGHT POLE
—	SANITARY MANHOLE
—	FIRE HYDRANT
—	WATER VALVE
—	DRAINAGE MANHOLE
—	CURB INLET
—	FENCE LINE
—	EXISTING SANITARY SEWER
—	PROPOSED SANITARY SEWER
—	EXISTING STORM SEWER
—	PROPOSED STORM SEWER
—	WATER LINES
—	ELECTRICAL LINES
—	TELEPHONE LINES
—	GAS LINES
—	CONTOUR LINES (1' INTERVAL)
—	PROPOSED GROUND
—	EXISTING TREE LINE
—	EXISTING DECIDUOUS TREE & SHRUB
—	EXISTING EVERGREEN TREES & SHRUBS

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.



Date	Revision
03-29-16	PER CITY REVIEW -JDM
04-12-16	PER CITY REVIEW -PVA
04-19-16	REVISED LOTS 36-40 PER CLIENT -JDM

PRELIMINARY PLAT

THE MEADOWS SUBDIVISION - PART 2
WEST BRANCH CEDAR COUNTY IOWA

MMS CONSULTANTS, INC.

Date:	02-12-16
Designed by:	PVA
Drawn by:	JDM
Checked by:	GDM
Project No.:	IOWA CITY 8815003
Field Book No.:	
Scale:	1"=50'
Sheet No.:	1

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319) 351-2277
Return to: Matt Muckler, City Administrator/Clerk, P.O. Box 218, West Branch, Iowa 52358 (319) 643-5888

ORDINANCE NO. 738

AN ORDINANCE RE-ZONING AN APPROXIMATE 2.34 ACRE PARCEL OF REAL PROPERTY LOCATED NORTH OF WEST MAIN STREET FROM RESIDENCE R-1 SINGLE FAMILY DISTRICT TO RESIDENCE R-2 TWO FAMILY DISTRICT.

WHEREAS, KLM Investments, Inc. has petitioned the City of West Branch for a zoning district amendment for an approximate 2.34-acre parcel located in the Meadows Subdivision, said parcel being legally described as Commencing at the Northeast Corner of Auditor Parcel "G", in accordance with the Plat thereof recorded in Plat Book I, at Page 103 of the Records of the Cedar County Recorder's Office; Thence S86°46'30"W, along the North Line of said Auditor Parcel "G", 491.76 feet; Thence S03°13'30"E, 346.74 feet, to the POINT OF BEGINNING; Thence S19°24'18"E, 144.18 feet; thence Southwesterly, 163.12 feet, along a 980.00 foot radius curve, concave Southeasterly, whose 162.93 foot chord bears S65°49'36"W; Thence S61°03'30"W, 1.70 feet; Thence Northwesterly, 39.27 feet, along a 25.00 foot radius curve, concave Northeasterly, whose 35.36 foot chord bears N73°56'30"W; thence S61°03'30"W, 60.00 feet; thence S28°56'30"E, 17.22 feet; Thence S61°03'30"W, 197.17 feet; thence N32°15'55"W, 241.50 feet; thence N61°03'30"E, 271.17 feet; Thence S28°56'30"E, 23.66 feet; Thence N61°03'30"E, 68.43 feet; Thence S88°48'26"E, 80.24 feet; Thence S15°39'23"E, 32.45 feet; Thence N77°42'45"E, 86.21 feet, to the POINT OF BEGINNING. Said Rezoning Tract #2 contains 2.34 Acres (101,904 square feet), and is subject to easements and restrictions of record.; and

WHEREAS, KLM Investments, Inc. has requested that the Parcel be rezoned to be located in a Residence R-2 Two Family District, in place of a Residence R-1 Single Family District; and

WHEREAS, the West Branch Planning and Zoning Commission has considered and voted on a recommendation to the City Council on the disposition of said rezoning request; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of West Branch, Iowa :

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a Residence R-2 Two Family District in place of a Residence R-1 Single Family District.

Section 2. This ordinance shall be in full force and effect from and after its publication as required by law.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 16th day of May, 2016.

Read First Time: April 18, 2016
Read Second Time: May 2, 2016
Read Third Time: May 16, 2016

Roger Laughlin, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319) 351-2277
Return to: Matt Muckler, City Administrator/Clerk, P.O. Box 218, West Branch, Iowa 52358 (319) 643-5888

ORDINANCE NO. 739

AN ORDINANCE RE-ZONING TWO PARCELS OF REAL PROPERTY LOCATED NORTH OF WEST MAIN STREET FROM RESIDENCE R-1 SINGLE FAMILY DISTRICT TO RESIDENCE/BUSINESS RB-1 DISTRICT.

WHEREAS, KLM Investments, Inc. has petitioned the City of West Branch for a zoning district amendment for two parcels, Rezoning Parcels #1 and #3, both portions of Auditor Parcel G; and

WHEREAS, Parcel #1 is an approximate 12.77-acre parcel located in the Meadows Subdivision, said parcel being legally described as Beginning at the Southwest Corner of Auditor Parcel "G", in accordance with the Plat thereof recorded in Plat Book I, at Page 103 of the Records of the Cedar County Recorder's Office; Thence N01°19'13"W, along the West Line of said Auditor Parcel "G", 755.33 feet; Thence N88°40'47"E, 157.95 feet; Thence S81°06'34"E, 108.86 feet; Thence S74°08'16"E, 365.98 feet; thence S57°30'03"E, 273.91 feet; Thence S02°51'42"E, 452.25 feet, to a Point on the South Line of said Auditor Parcel G; Thence S87°06'47"W, along said South Line, 854.78 feet, to the Point of Beginning. Said Rezoning Tract contains 12.77 Acres (556,235 square feet), and is subject to easements and restrictions of record; and;

WHEREAS, Parcel #3 is an approximate 0.82-acre parcel located in the Meadows Subdivision, said parcel being legally described as Commencing at the Southeast Corner of Auditor Parcel "G", in accordance with the Plat thereof recorded in Plat Book I, at Page 103 of the Records of the Cedar County Recorder's Office; Thence N00°40'57"E, along the East Line of said Auditor Parcel "G", 46.71 feet; Thence S87°07'22"W, along said East Line, 350.51 feet, to the POINT OF BEGINNING; Thence continuing S87°07'22"W, 113.67 feet; Thence Northwesterly, 40.82 feet along a 25.00 foot radius curve, concave Northeasterly, whose 36.44 foot chord bears N46°05'56"W; Thence N00°40'47"E, 233.75 feet; Thence S89°19'13"E, 140.00 feet, to a Point on the East Line of said Auditor Parcel "G"; Thence S00°40'47"W, along said East Line, 251.65 feet, to the Point of Beginning. Said Rezoning Tract #3 contains 0.82 Acre (35,685 square feet), and is subject to easements and restrictions of record; and

WHEREAS, KLM Investments, Inc. has requested that both parcels be rezoned to be located in a Residence/Business RB-1 District, in place of a Residence R-1 Single Family District; and

WHEREAS, the West Branch Planning and Zoning Commission has considered and voted on a recommendation to the City Council on the disposition of said rezoning request; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of West Branch, Iowa :

Section 1. That the zoning map for the City of West Branch is hereby amended to show the parcels being located in a Residence/Business RB-1 District in place of a Residence R-1 Single Family District.

Section 2. This ordinance shall be in full force and effect from and after its publication as required by law.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 16th day of May, 2016.

Read First Time: May 2, 2016
Read Second Time: May 16, 2016
Read Third Time:

Roger Laughlin, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk

RESOLUTION NO. 1470

RESOLUTION APPROVING AN OFFER TO PURCHASE REAL
PROPERTY WITH HAWKEYE LAND COMPANY IN THE AMOUNT OF \$22,000

WHEREAS, the City of West Branch and Hawkeye Land Company have negotiated a purchase agreement for two parcels totaling approximate 1.75 acres located near College Street in the City; and

WHEREAS, the parties have agreed that the City will pay the sum of \$22,000.00 for said parcels.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the aforementioned Purchase Agreement be and the same is hereby approved. Further, the Mayor and City Administrator/Clerk are hereby directed to execute said Purchase Agreement on behalf of the City.

Passed and approved this 16th day of May, 2016.

Roger Laughlin, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

PURCHASE AGREEMENT

Hawkeye Land Company, an Iowa corporation (“Seller”), agrees to sell to the City of West Branch, Iowa, an Iowa municipality (“Buyer”), and Buyer agrees to purchase from Seller its interest (“Property”), if any, at the price and upon the terms and conditions that follow, in the real property situated in Cedar County, State of Iowa, and described as:

Parcel 1

The West one hundred and ten feet of the former railroad right-of-way of the Chicago, Rock Island and Pacific Railroad Company, lying between College Street and Orange Street, in West Branch, Cedar County, Iowa.

Tax ID# 500-13-05-352-026-0

Parcel 2

That tract of land described as Parcel Two in the Quitclaim Deed dated June 30, 1999, and filed of record in the Cedar County Recorder’s Office in Book 437 at Page 290 on August 23, 1999.

Tax ID# 500-13-05-353-001-0

The following terms and conditions shall apply to this Purchase Agreement (“Agreement”).

1. **PURCHASE PRICE:** The purchase price for the Property shall be TWENTY-TWO THOUSAND DOLLARS (\$22,000) (“Purchase Price”). Buyer shall provide the Purchase Price to Seller in one payment by June 1, 2016.
2. **DEED:** Upon payment of the Purchase Price by Buyer, Seller shall convey its interest, if any, in the Property by Quitclaim Deed (“Deed”) to Buyer within seven business days of receipt of the Purchase Price.
3. **EXPIRATION OF OFFER:** Buyer must accept this offer by 5:00 p.m. on May 17, 2016, or the offer expires.
4. **POSSESSION:** Buyer shall receive possession of the Property upon payment of the Purchase Price.
5. **INCIDENTAL COSTS:** Buyer shall pay all expenses and fees for documentary stamps, recording fees, deed taxes, real estate transfer taxes, and transaction taxes incident to the conveyance of the Property.
6. **BUYER’S COSTS:** Seller shall not be responsible for any real estate fees, sales commissions, attorneys’ fees, or any other cost incurred by Buyer arising from the sale of the Property.
7. **TAXES:** Buyer shall pay all real estate taxes and special assessments currently due or due in the future.
8. **SURVEY/PLATTING/LEGAL DESCRIPTION:** If a survey, plat, legal description, or similar requirement is required by Iowa Code Chapter 354, city or county ordinances, other law, or for any other reason, Buyer, at its sole cost and expense, shall ensure compliance therewith and have a survey of the Property made by a registered land surveyor.

9. **ABSTRACT:** Seller shall not provide an abstract of title of the Property to Buyer. Buyer acknowledges Seller does not have and has never reviewed an abstract of title of the Property.
10. **WARRANTIES:** Seller makes no warranties, express or implied, as to its title or estate in the Property, or to the condition of the Property. Buyer accepts the Property “as is” without reliance on any statements made by Seller as to its title, estate, or the condition of the Property.
11. **ASSIGNMENT:** This Agreement shall not be assigned.
12. **DEFAULT AND REMEDIES:** The breach of any term or condition of this Agreement shall constitute a default. Either party may terminate this Agreement after ten business days’ prior notice to the other party of a default, which remains uncured after the ten day period. The parties are entitled to utilize any and all remedies or actions at law or in equity available to them. Seller shall be entitled to all costs and expenses, including, but not limited to, reasonable attorney fees if it is the prevailing party in any action or proceeding (including, but not limited to, settlement of any action or proceeding) relating to this Agreement.
13. **WAIVER:** Failure to promptly assert rights under this Agreement shall not be a waiver of those rights or a waiver of any existing or subsequent defaults.
14. **INTEGRATION:** This Agreement contains the entire agreement of the parties and shall not be amended except by a written instrument duly signed by the parties.
15. **CONSTRUCTION:** Words and phrases in this Agreement shall be construed as in the singular or plural number, and as masculine, feminine, or neuter gender according to the context. Each party having had ample time to review this Agreement and make changes, the Agreement shall not be construed for or against any party on account of draftsmanship or who is seeking enforcement.
16. **NOTICES:** Any notice or communication concerning this Agreement shall be deemed given when it is received in writing by hand delivery or deposited in the U.S. Mail by certified mail, return receipt requested. Notice pursuant to this paragraph shall be given to the addresses listed below.
17. **COUNTERPARTS:** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Original signatures transmitted and received via facsimile or other electronic transmission of a scanned document, e.g. PDF or similar format, are true and valid signatures for all purposes hereunder and shall bind the parties to the same extent as that of an original signature.
18. **INCORPORATION:** The Recitals are incorporated and made a part of this Agreement.
19. **TIMELINESS:** Time is of the essence in this Agreement.

The parties have caused this Agreement to be executed.

Seller:



Rick Stickle
President
Hawkeye Land Company
500 Stickle DR NE
Cedar Rapids, Iowa 52401
Date: _____

Buyer:

Printed Name:
Title:
City of West Branch
110 N. Poplar Street
West Branch, Iowa 52358
Date: _____