

(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

**July, 18 2011
7:04 p.m.**

Mayor Don Kessler opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, Administrative Assistant Ashley Borland-Kaalberg, and Officer John Hanna. Council members: Mark Worrell, Robert Sexton, Dan O'Neil and Jim Oaks. Absent: David Johnson.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the July 5, 2011 City Council Meeting.
- b) Approve claims.
- c) Approve change order of \$679 for the West Branch Fire Station Expansion Project for excavation and replacement of rock per the City's request.
- d) Approve Class B Beer Permit with Outdoor Service for West Branch Firefighters Inc. and Hoover's Hometown Days, August 5 – August 7, 2011.
- e) Approve street closures along parade route for the Hoovers Hometown Days Mayor's Parade on Saturday August 6, 2011 from 9:45 a.m. – 11:30 a.m. and South Second Street from East Main to Water Street Parking Lot August 5-6, 2011.
- f) Approve amended Class C Native Wine License to allow outdoor service privilege from July 30, 2011, to July 31, 2011 for RAGBRAI for Elmira Winery, Inc. DBA Brick Arch Winery.
- g) Approve Sewage Treatment Agreement with KLM Investments, Inc. for the Meadows Subdivision, Part 1, West Branch, Iowa.
- h) Approve Water Supply Service Agreement with KLM Investments, Inc. for the Meadows Subdivision, Part 1, West Branch, Iowa.
- i) Approve street closures on North 4th Street from Green Street to East Main for Soap Box Derby event, Saturday August 6, 2011 from 2:00 p.m. -5:00 p.m.

Motion by Worrell, second by Sexton to amend item 4 to delete item C. AYES: Worrell, Sexton, O'Neil, Oaks. Absent: Johnson. Motion carried.

Motion by Sexton, second by Worrell to amend item 4i to read from Green Street to College Street. AYES: Sexton, Worrell, O'Neil, Oaks. Absent: Johnson.

Motion by O'Neil, second by Worrell to the amended consent agenda. Roll call vote – Ayes: O'Neil, Worrell, Sexton, Oaks. Absent: Johnson. Motion carried.

DATE 7/18/2011 CITY OF WEST BRANCH CLAIMS REGISTER REPORT

AERO RENTAL	LIBRARY - SRP SUPPLIES	112.30
ALLIANT ENERGY	VARIOUS DEPTS - UTILITIES	6,857.24
	WATER - UTILITIES	41.83
ALLMED	FIRE - SUPPLIES	147.81
AMAZON	LIBRARY - SUPPLIES	60.75
	LIBRARY - LAPTOP ADAPTER	30.19
	LIBRARY - SUPPLIES	10.59
	LIBRARY - SUPPLIES	19.97
ANDREWS, ALISON	ACH PAYROLL EXPENSE	225.95
BAILEY, MICHAEL	ACH PAYROLL EXPENSE	470.21
BAKER & TAYLOR BOOKS	LIBRARY - SUPPLIES	719.67
	LIBRARY - SUPPLIES	46.43
BARNHART'S CUSTOM SERVICE	STREETS - WORK AT BRUSH PILE	2,342.50
	STREETS - N DOWNEY ST PROJ.	9,177.00
BARRON MOTOR SUPPLY	POLICE/STREETS - SUPPLIES	298.50
	FIRE - SUPPLIES	160.46
BDC BUILDING PLAN REVIEW	ADMIN - BUILDING INSPECTIONS	138.60
BEAN & BEAN	CEMETERY - GRAVE OPENINGS	2,000.00
BLANK PARK ZOO	LIBRARY - SUMMER READING	161.87
BLUE CROSS BLUE SHIELD	LIFE INS.	8.00
	DENTAL INS	72.30
	HEALTH INS	627.16
BORLAND-KAALBERG, ASHLEY	ACH PAYROLL EXPENSE	585.16
BOWERS, MATTHEW	PAYROLL EXPENSE	105.24
BP AMOCO	CEMETERY/STREETS/POLICE	1,790.03
	FIRE - FUEL	141.85
BRANDT, DAWN	ACH PAYROLL EXPENSE	1,194.73
BRICK, GERRY	ACH PAYROLL EXPENSE	339.58
BUSINESS RADIO SALES	FIRE - SERVICE	368.26
CEDAR RAPIDS PHOTO COPY	LIBRARY - SERVICE	123.59
	LIBRARY - SERVICE	63.84
CHEZUM, MARCUS	WATER - CREDIT REFUND	.27
CHRIS JONES TRUCKING	STREETS - ROADSTONE	219.49
COMMUNITY STATE BANK	ADMIN - CITY OFFICE LOAN	18,680.11
COMPUTER PROJECTS OF IL	POLICE - OPENFOX MESSENGER	312.00
CREATIONS WITH A TWIST	LIBRARY - SUMMER READING	112.81
CREATIVE SOFTWARE SERVICE	ADMIN - COMPUTER CONSULT	134.30
CROELL REDI-MIX INC	PARK & REC - LIONS FIELD	1,473.00
CULLIGAN WATER TECHNOLOGY	FIRE - SERVICE	35.90
DES MOINES REGISTER	LEGAL - POLICE CHIEF AD	722.00
DIGITAL RIVER EDUCATION	LIBRARY - OFFICE SUPPLIES	132.58
EAST CENT INTERGOVT ASN.	ADMIN - FY12 DUES	1,137.76
FLEET SERVICES	POLICE - FUEL	494.97
GALLS -- AN ARAMARK CO	POLICE - UNIFORMS	120.96
GARLING CONSTRUCTION INC	CAPITAL PROJECTS - FIRE	107,968.45
GAZETTE COMMUNICATIONS	LEGAL - POLICE CHIEF AD	43.68
GOODALE, MATTHEW	ACH PAYROLL EXPENSE	1,447.16
GREATAMERICA LEASING CORP	ADMIN -COPIER SERVICE CONT.	252.06
GRIMM, JOHN	PAYROLL EXPENSE	489.59
HANNA, JOHN	ACH PAYROLL EXPENSE	1,185.18
HAWKINS WATER TREATMENT	WATER - SUPPLIES	1,275.75
HEICK, GINA	ACH PAYROLL EXPENSE	182.32
HERB N LOU'S	PARK & REC - SUPPLIES	41.00

HYGIENIC LAB.ACCT.REC.	WATER - TESTING	182.00
ICAD GROUP	ECONOMIC DEV - FY12 DUES	2,750.00
INTERNAL REVENUE SERVICE	FEDERAL W/H	1,806.97
	FICA-MED.CAR	2,168.18
	FICA-MED.CAR	604.56
IOWA BUSINESS SUPPLY	ADMIN - OFFICE SUPPLIES	70.94
IOWA CITY SCHEELS	PARK & REC - SPORTS NETS	199.98
IOWA CITY/COUNTY MANAGEM	ADMIN -IACMA SUMMER CONF.	115.00
	ADMIN - FY12 MEMBERSHIP	120.00
IOWA DNR	WATER - CERTIFICATION EXAM	30.00
	WATER - OPERATOR CERT.	80.00
	WATER - FY12 WATER SUPPLY	272.88
IOWA LEAGUE OF CITIES	ADMIN - FY12 DUES	1,030.00
IOWA NETWORK SERVICES	ADMIN - SERVICE	26.99
IPERS	IPERS	2,356.62
	IPERS	654.47
JOHNSON COUNTY E-911	FIRE - FY12 HAZ-MAT CONT.	23.75
JOHNSON COUNTY REFUSE	RECYCLING - JUNE	3,538.75
JOHNSON, BRIDGET	WATER - CREDIT REFUND	79.48
KARR, DANIEL	PAYROLL EXPENSE	1,092.91
KESSLER, DONALD	PAYROLL EXPENSE	186.20
KNOCHE, REBECCA	ACH PAYROLL EXPENSE	746.63
KUM & GO #254	ADMIN - LIQUOR LICENSE REFUND	50.00
LEASE CONSULTANTS CORP	LIBRARY - SERVICE	59.00
LIBERTY COMMUNICATIONS	VARIOUS DEPTS - PHONE	1,077.97
LINN COUNTY R.E.C.	STREETS - UTILITIES	102.00
LYNCH'S EXCAVATING INC	STREETS - SUPPLIES	18.00
MAIN STREET WEST BRANCH	ECONOMIC DEVELOPMENT	138,934.85
	ECONOMIC DEV. FY12 DUES	11,250.00
MENARDS	ADMIN - SUPPLIES	13.98
	TOWN HALL - SUPPLIES	174.73
MOSS, TIMOTHY	ACH PAYROLL EXPENSE	1,153.22
MT VERNON-LISBON SUN	LEGAL - POLICE CHIEF AD	45.60
MUCKLER, MATTHEW	ACH PAYROLL EXPENSE	1,902.51
NASH, ANN	ADMIN - CLEANING	240.00
O'NEIL, PAUL	ACH PAYROLL EXPENSE	1,079.29
OASIS ELECTRIC	STREETS - SERVICE	70.00
OLSON, ATTY KEVIN	LEGAL - LEGAL SERVICES JULY	1,250.00
PEDEN, SHANELLE	CABLE - VIDEOTAPING	150.00
PITNEY BOWES GLOBAL	LIBRARY - SERVICE	106.77
PITNEY BOWES PURCHASE	LIBRARY - POSTAGE	500.00
PLAY IT AGAIN SPORTS	PARK & REC - TBALL	53.97
PLUNKETT'S PEST CONTROL	ADMIN - SERVICE	45.76
PORT 'O' JONNY INC.	CEMETERY - SERVICE	80.00
PYRAMID SERVICES INC.	CEMETERY - SUPPLIES	36.40
QC ANALYTICAL SERVICES	SEWER - CONFERENCE/TRAINING	125.00
QUAD-CITY TIMES	LEGAL - POLICE CHIEF AD	550.00
	LEGAL - POLICE CHIEF AD	48.30
QUILL CORP	LIBRARY - COPY PAPER	28.90
	LIBRARY - OFFICE SUPPLIES	14.03
	LIBRARY - SUPPLIES	47.99
	LIBRARY - SUPPLIES	47.44
RODRIGUEZ, DEANNA	ADMIN - TRAINING	200.00
RUSSELL, MELISSA	ACH PAYROLL EXPENSE	888.07
	PARK & REC - REIMBURSEMENT	62.59
SHIMMIN, NICHOLAS	ACH PAYROLL EXPENSE	1,039.46
SHIMMIN, NICK	LIBRARY - REIMBURSEMENT	43.96
	LIBRARY - REIMBURSEMENT	241.60
SOLON ECONOMIST	LEGAL - POLICE CHIEF AD	21.30
SPRINGDALE AGENCY	FY12 INSURANCE - ALL DEPTS.	57,408.00
SPRINT	POLICE - SERVICE	179.97
STATE LIBRARY OF IOWA	LIBRARY - FY12 EBSCO	117.88
STENDER, GRANT	ACH PAYROLL EXPENSE	262.10
STEWART, THOMAS	ACH PAYROLL EXPENSE	1,011.65
SULZNER, ELLEN	TOWN HALL - CLEANING	245.00
TIPTON CONSERVATIVE	LEGAL - POLICE CHIEF AD	29.10
TOYNES IA. FIRE TRK.SERV	FIRE - SUPPLIES	57.12
	FIRE - SUPPLIES	35.83
	FIRE - SUPPLIES	23.00
TREAS. STATE OF IOWA	STATE WTH.	871.00
TREAS. STATE OF IOWA	IOWA SALES TAX - JUNE	1969.61
UPS	SEWER - SHIPPING	22.80
	SEWER - SHIPPING	22.80
	SEWER - SHIPPING	23.65
	SEWER - SHIPPING	22.80
UPSTART	LIBRARY - SUPPLIES	10.25
	LIBRARY - SUPPLIES	9.75
US BANK	STREETS - MAINT. BLDG. LOAN	30,950.00
US CELLULAR	FIRE - PHONE SERVICE	37.05
	VARIOUS DEPTS - PHONE	271.26
	POLICE - PHONE SERVICE	202.65
USA BLUE BOOK	WATER - LMI C9 PUMP	1,497.52
	CEMETERY - SUPPLIES	64.45
VEENSTRA & KIMM INC.	WATER - ENGINEERING	800.00
WALLICK, CLAUDIA	ACH PAYROLL EXPENSE	168.15
WALMART COMMUNITY/GEMB	LIBRARY - SUPPLIES	786.94
WARGO, BARBARA	ACH PAYROLL EXPENSE	24.03
WEST BRANCH FIREFIGHTERS	FIRE - FY11 PAYROLL	24,188.00
WEST BRANCH HEATING	TOWN HALL - SERVICE	74.00
WEST BRANCH REPAIRS	FIRE - SERVICE	396.38
WEST BRANCH TIMES	LEGAL/PARK & REC - PUBLIC.	451.81
WHITE CAP CONSTRUCTION	PARK & REC - LIONS FIELD	17.19

GRAND TOTALS 467,043.69

FUND TOTALS

001	GENERAL FUND	89,021.70
022	CIVIC CENTER	790.72
031	LIBRARY	7,069.36
036	TORT LIABILITY	47,638.00
110	ROAD USE TAX	46,614.69
111	POLICE RECOVERY ACT GRANT	237.15
112	TRUST AND AGENCY	2,462.66
160	ECONOMIC DEVELOPMENT	138,934.85
303	FIRE CAPITAL PROJECT ADDITION	107,968.45
600	WATER FUND	17,932.59
610	SEWER FUND	8,373.52
****		467,043.69

The Clerk reported the following receipts for the month of June 2011:

Water, Sewer, Recycling	\$ 51,431.53	Cedar Co. Property Tax	\$ 5,205.78
Water Utility Deposits	\$ 400.00	Johnson Co. Prop. Tax	\$ -
Cookson Rent	\$ -	Road Use Tax	\$ 7,532.54

Town Hall Rent	\$ 30.00	Fines	\$ 678.94
Misc.	\$ 896.50	Twp. Fire Contract	\$ 50,629.00
Library	\$ 317.50	Building Permits	\$ 403.86
Donations	\$ -	Fire Station Loan Proceeds	\$ -
Interest	\$ 388.57	Krouth Fund Interest	\$ 0.03
Investments Interest	\$ 339.04	M. Gray Savings Interest	\$ 1.38
Cable fees	\$ -	Cemetery Perp. Care Int.	\$ 0.04
Cigarette Permits	\$ 375.00	MV Fuel Tax Refund	\$ -
Cat & Dog Registrations	\$ 10.00	NPS Plowing Contract	\$ 5,000.00
Beer & Liquor Lic. Fees	\$ -	Grave Openings	\$ -
Park & Rec. Activities	\$ 1,405.00	Cemetery Lots	\$ 500.00
SUBTOTAL	\$ 55,593.14	SUBTOTAL	\$ 69,951.57
		TOTAL	\$ 125,544.71

**The Clerk reported the following balances on hand for the month of June 2011:
(Balances =Financial Statement Report Bank Balance + Investments)**

Funds	Bank Balance	Investments	Total
001 General	\$ 253,503.07	\$ 196,101.05	\$ 449,604.12
011 Police Donations	\$ 8,203.54	\$ -	\$ 8,203.54
014 Fire Dept. Donations	\$ 44,052.02	\$ -	\$ 44,052.02
018 Park Donations	\$ 5,388.71	\$ -	\$ 5,388.71
022 Civic Center	\$ 31,711.37	\$ -	\$ 31,711.37
031 Library Operating	\$ 6,521.87	\$ 16,314.23	\$ 22,836.10
036 Tort Liability	\$ 38,481.00	\$ -	\$ 38,481.00
050 Home Town Days	\$ 11,473.28	\$ -	\$ 11,473.28
110 Road Use Tax	\$ 172,201.16	\$ 29,971.55	\$ 202,172.71
111 Police Recovery Act Grant	\$ (5,406.76)	\$ -	\$ (5,406.76)
112 Trust & Agency	\$ 32,367.51	\$ -	\$ 32,367.51
119 Emergency Tax Fund	\$ 60,749.46	\$ -	\$ 60,749.46
121 Local Option Tax	\$ -	\$ -	\$ -
125 TIF	\$ 20,378.79	\$ -	\$ 20,378.79
160 Economic Develop.	\$ 138,934.85	\$ -	\$ 138,934.85
200 Debt Service	\$ 1,354.33	\$ -	\$ 1,354.33
226 SRF Debt Service	\$ 34,602.54	\$ -	\$ 34,602.54
300 Capital Improvement	\$ -	\$ -	\$ -
303 Fire Capital Project Addition	\$ -	\$ -	\$ -
500 Cemetery Perpetual	\$ 10,155.80	\$ 88,000.00	\$ 98,155.80
501 Krouth Fund Principal	\$ -	\$ 101,421.71	\$ 101,421.71
502 Krouth Enlow Int. Fund	\$ 8,502.13	\$ 16,054.12	\$ 24,556.25
600 Water Operating	\$ 244,712.41	\$ 124,394.45	\$ 369,106.86
603 Water Sinking Fund	\$ 1,854.14	\$ -	\$ 1,854.14
610 Sewer Operating	\$ 172,187.06	\$ 76,947.99	\$ 249,135.05
TOTAL	\$ 1,291,928.28	\$ 649,205.10	\$ 1,941,133.38

COMMUNICATIONS/OPEN FORUM

Sexton asked Muckler about painting on 4th Street for soap box derby. Muckler said that he will talk options with public works staff.

**PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL
Second Reading of Ordinance 681, amending Chapter 55 “Animal Protection and Control.”/Move to
action.**

Motion by Worrell to approve Second Reading of Ordinance 681, second by Sexton.
Roll call vote – AYES: Worrell, Sexton, O’Neil, Oaks. Absent: Johnson. Motion carried.

**Third Reading of Ordinance 682, vacating the 16’ alley located to the south of Lot 19, and to the north
of Lot 20 in Block 9 in Townsend and Gue’s Addition, to West Branch, Cedar County, Iowa, generally
located near North Fifth Street in between East Main Street and East Green Street./Move to action.**

Motion by Worrell, second by Sexton to approve Third Reading of Ordinance 682. Roll call vote – AYES:
Worrell, Sexton, O’Neil, Oaks. Absent: Johnson. Motion carried.

ORDINANCE NO. 682

AN ORDINANCE VACATING ALLEYS

1. BE IT ENACTED by the Council of the City of West Branch, Iowa, that the following alleys within the corporate limits are hereby vacated:

- a) The 16’ alley located to the south of Lot 19, and to the north of Lot 20 in Block 9 in Townsend and Gue’s Addition, to West Branch, Cedar County, Iowa, generally located near North Fifth Street in between East Main Street and East Green Street.

The Mayor and the City Clerk are hereby authorized and directed to sign a quitclaim deed conveying said alley to the adjacent owners.

Said quitclaim deed shall include a provision stating that the conveyance is subject to an easement for the purpose of the installation and maintenance of utilities.

Passed and approved this 18th day of July, 2011.

Read First Time: June 20, 2011
Read Second Time: July 5, 2011
Read Third Time: July 18, 2011

Don Kessler, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

First Reading of Ordinance 683, amending Chapter 6 “City Elections.”/Move to action.

Motion by Worrell, second by O’Neil to approve First Reading of Ordinance 683. Roll call vote – AYES:
Worrell, O’Neil, Sexton, Oaks. Absent: Johnson. Motion carried.

Accept resignation of Part-Time Officer Michael Bailey./Move to action.

City Administrator Matt Muckler thanked Bailey for his time. Motion by Sexton, second by Worrell to accept resignation. Roll call vote – AYES: Sexton, Worrell, O’Neil, Oaks. Absent: Johnson. Motion carried.

**Public hearing on proposed plans, specifications, form of contract and estimate of cost for the construction of
the Water Tower Repair and Coating 2011 West Branch, Iowa and for the taking of bids therefor./Move to
action.**

Mayor Kessler entered into public hearing. With no discussion from the audience or Council, Mayor Kessler exited the public hearing.

**Accept Base Bid and Alternate 2 Bid Item in the amount of \$142,500 from Central Tank Coatings for the
Water Tower Repair and Coating 2011 West Branch, Iowa Project./Move to action.**

Motion by Sexton, second by Worrell to accept base bid for Water Tower Repair and Coating 2011. Roll call vote – AYES: Sexton, Worrell, O’Neil, Oaks. Absent: Johnson. Motion carried.

Accept resignation of Part-Time Library Custodian Tom Johnson./Move to action.

Motion by Worrell, second by Sexton to accept resignation. Roll call vote – AYES: Worrell, Sexton, O’Neil, Oaks. Absent: Johnson. Motion carried.

Accept consolidated cleaning bid from Midwest Janitorial Supply./Move to action.

Motion by Sexton, second by Worrell to accept bid. Roll call vote – AYES: Sexton, Worrell, O’Neil, Oaks. Absent: Johnson. Motion carried.

Accept resignation of Part-Time Library Clerk Barb Wargo./Move to action.

City Administrator Matt Muckler thanked Wargo for her time. Motion by Worrell, second by O’Neil to accept resignation. Roll call vote – AYES: Worrell, O’Neil, Sexton, Oaks. Absent: Johnson. Motion carried.

**Approve \$169,978 for selected improvements for inclusion in the West Branch Roads and Streets 2011
Project./Move to action.**

Discussion from Council, Staff and City Engineer was had on various street project prospects. Muckler recommended that Council approve the top half of the project recommendations included in Council packet. These projects include College St. 4th – 6th Alternative, College St, 1st to Downey Alternative, 4th Street Alternative 2, Poplar Street Parking Area and Seal Coat totaling \$69,956. Motion by Worrell to amend item 6j to include the projects totaling \$69,956, second by O’Neil. Roll call vote – AYES: Worrell, O’Neil, Sexton, Oaks. Nays: Johnson. Absent: Sexton. Motion carried.

Approve West Branch Sanitary Sewer Study Phase I with Veenstra & Kimm, Inc. in amount of \$25,005./Move to action.

Motion by Sexton, second by to Worrell to approve Sanitary Sewer Study Phase I with Veenstra & Kimm. Roll call vote – AYES: Sexton, Worrell, O’Neil, Oaks. Absent: Johnson. Motion carried.

MAYOR DON KESSLER

Appointments/Reappointments

None

REPORTS

Paul Newman, Shive-Hattery – Presentation of Community Center Plan

Newman presented Community Center Plan with three potential locations. Council had the opportunity to ask questions on the project summaries.

City Administrator Matt Muckler - Police Chief Recruitment Update

Muckler gave a summary of the interview schedule for Friday July 22, 2011.

City Administrator Matt Muckler – Hoover’s Hometown Days Mayor’s Parade

Muckler shared the letter from the parade committee, inviting the Mayor Council to ride in Hoover’s Hometown Days Mayor’s Parade.

Motion to adjourn to executive session to discuss the purchase of particular real estate only where premature disclosure could reasonably be expected to increase the price the governmental body would have to pay for that property pursuant to Section 21.5(j) of the Code of Iowa.

Motion by Worrell and second by Sexton to enter into closed session at 8:21 p.m. Roll call vote – AYES: Worrell, Sexton, O’Neil. NAYS: Oaks. Absent: Johnson. Motion failed.

ADJOURNMENT

Meeting adjourned by Mayor Kessler. City Council meeting adjourned at 8:23 p.m.

Don Kessler, Mayor

ATTEST: _____
Matt Muckler, City Administrator/Clerk