

To: City Council
From: Matt Muckler, City Administrator
Date: June 26, 2015
Weekly Council Update

Former Mayor Mike Quinlan to Lead Moment of Silence: Former West Branch Mayor Mike Quinlan will be on hand at the next City Council Meeting, scheduled for Monday June 29, 2015, to offer a few reflections on the life and public service of Mayor Mark Worrell and lead everyone gathered in the Council Chamber in a moment of silence in memory of Mayor Worrell.

New Business Grand Opening: Council members are invited to attend the grand opening of K Jacwen Couture at 109 N. Downey Street in West Branch on Saturday June 27th between 8:00 a.m. and 5:00 p.m. Bridal designer Kylie J. Raubs and her team will be on hand to greet visitors.

Music on the Village Green: The Music on the Village Green concert series wrapped up last night with a great performance by Bluesman Kevin “B.F.” Burt. Over 200 people came out to see the performance. This year’s series was very well attended. Next year, we look forward to working in cooperation with the National Park Service and Main Street West Branch to bring in quality entertainment for the five Thursdays in June 2016.

New Fire Truck Delivered: The West Branch Fire Department took possession of a brand new 2015 Freightliner M2 106 Conventional Chassis Rescue/Emergency Vehicle from Toyne, Inc. yesterday. Volunteer firefighters are now working to install radios and equipment and install lettering on the truck. The truck is expected to be fully equipped and placed into service sometime next week.

N. Oliphant Project: All water infrastructure repairs, as well as sewer manhole repairs and replacements, have been completed on N. Oliphant Street. Public Works staff is working today to pour concrete on the final street patch in front of the Hoover Elementary School. N. Oliphant is expected to be open to traffic at 6:30 a.m. on Monday morning June 29th. Backfilling and grading, a final sidewalk repair, and the installation of an approach on the east side of N. Oliphant will be completed early next week.

Parkside Drive Road Improvements: L.L. Pelling Company, Inc. has completed the asphalt overlay to Parkside Drive. Lynch's Excavating will begin work next week on the installation of a new culvert underneath the BP Driveway. After the culvert has been replaced, a concrete approach will be poured to meet the new asphalt on Parkside Drive. Work is expected to be completed by July 17th. Both lanes of traffic on Parkside Drive will remain open during the duration of the project, however, drivers are encouraged to use caution as work crews complete repairs

Swim Lessons to Start on July 6th: The first wave of summer programming for Park and Recreation will come to a close on Monday June 29th. This year there were over 200 children that participated in summer ball programs from Preschool-6th grade. Games were held every day except Sunday and Fridays. The weather didn't always cooperate and resulted in several rained out games. Concessions went well, with most of the time slots filled by volunteers. The second wave of summer programming starts on Monday July 6th with swimming lessons. Currently, there are 29 children registered for swim lessons. This number is a little smaller than in the past years, however it is still a large number of participants. Registration for day camp is still underway, but the spots are almost filled.

Gearing up for Hoover's Hometown Days: In addition to KXIC, radio advertising for Hoover's Hometown Days will run on Kiss Country 95.7 FM and the Fox Classic Rock 100.7 FM for the next six weeks. Our Hoover's Hometown Days Banner is now displayed above Main Street and print advertising for the event will also commence in July.

Duke Otherwise to Perform Tuesday June 30th: Summer programs continue at the West Branch Public Library next week. The library will again have Snack and Stories on Monday, Teen program on Wednesday, and Thursday Theater. On Tuesday, June 30th at 6:30 p.m., the Library welcomes special guest Duke Otherwise, a singer/songwriter who specializes in funny but educational songs for kids. Due to the July 4th Holiday, there will be no Storytime Friday morning, but the library will be open. The Library will be closed on Sat. July 4th.

Iowa Secretary of State Elections Update: Dawn Williams, Director of Elections at the Secretary of State's Office, has recently provided new guidance regarding city election filing officers. In the past, city clerks were required by law to serve as nomination filing officers, but a bill approved during the 2014 legislative session changed that so only county auditors served in that role. Initially, the Secretary of State's Office issued guidance that county auditors could "deputize" city clerks so they could continue to serve as filing officers. However, that guidance has now changed and only county auditors can serve as filing officers. The following is the full explanation from Ms. Williams:

There has been confusion regarding filing officer duties that are related to city election candidates and we would like to clear it up before the first of the city filing periods begin in just over 60 days. Temporary allowances were made last year to accommodate cities with special election filing periods that were open on the implementation date. Filing information using the temporary allowances continued to be distributed by our office even though they

were no longer in effect causing the confusion about the city clerk's role. Candidate guides and calendars have now been reviewed and corrected. The information below is consistent with the new law and the process outlined has been verified as correct by the AG's office.

HF 2366 transferred **ALL filing officer duties** for a regular City Election to the county auditor. Candidates filing for city office must file in the Auditor's office by the filing deadline. Objections and withdrawals are also filed with the Auditor.

Questions have been asked about deputizing city clerks to serve as official filing officers, however §47.2(3) **does not** give auditors the authority to deputize city clerks. We have verified this with the AG's office and only persons who are required by law to accept nomination papers for the political subdivision can be deputized and **city clerks do not meet the qualification.**

City clerks **should not** act as a courier or middle man to deliver nomination papers to the Auditor for the following reasons:

- The filing officer has responsibility for review, acceptance or rejection of papers.
 - Questions about papers answered first hand and immediately.
 - Timely opportunity for candidates to remedy deficiencies noted before filing.
 - Receipt of papers issued to candidate
- Citizens and candidates should have uniform information and equal access to all candidates papers. This can't happen if some papers are filed in the auditor's office and some are held in the clerk's office for delivery to the auditor at a later date.
- Nomination papers must be available for public inspection in the filing officer's office during the filing period. §44.15 §376.4(5)
- Confusion about deadline. Papers must be received in the Auditor's office by the deadline. Dropping papers off with the city clerk does not constitute a timely filing.
- Even though the law allows a candidate for office to ask anyone that they choose to deliver their papers, having a clerk serve in that role creates confusion over who the official filing officer is.

City Clerks still:

- Notify Auditor of vacancies and appointments
- Deliver full text of public measures to County Auditor if held with City Election
 - Thursday, September 17, 2015 §376.4(5)
- Provide information to candidates - Best Practices
 - Candidate Guides
 - Nomination papers and Affidavits
 - Notify potential candidates of filing officer change
 - May still notarize papers before candidate files them with Auditor

The information provided is one-way communication and should not be discussed among you as this would be a violation of the open meeting law.