

(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