

(The following is a synopsis of the minutes of the West Branch City Council meeting. A video recording is available for inspection on the City of West Branch Website at www.westbranchiowa.org/government/council-videos. The minutes are not approved until the next regularly scheduled City Council meeting.)

**West Branch, Iowa
Council Chambers**

City Council Meeting

**October 3, 2016
7:00 p.m.**

Mayor Roger Laughlin called the West Branch City Council meeting to order at 7:01 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, Tim Shields, Mary Beth Stevenson and Brian Pierce were present. Council Person Jordan Ellyson arrived at 7:02 p.m. Laughlin welcomed the audience and the following City staff: City Administrator Matt Muckler, Deputy City Clerk Leslie Brick, Finance Officer Gordon Edgar, Police Chief Mike Horihan, Library Director Nick Shimmin, Parks & Recreation Director Melissa Russell and Public Works Director Matt Goodale.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

- a.) Approve minutes from the September 19, 2016 regular City Council Meeting.
- b.) Approve minutes from the September 19, 2016 City Council Work Session.
- c.) Approve claims.
- d.) Approve Change Order No. 2 in the amount of \$ _____ to All American Concrete, Inc. for storm water improvements to extend a culvert and install an intake to address an uncovered culvert pipe on the West Branch Parks and Recreation Phase 1 Improvements Project.

Muckler requested that item D be postponed pending the change order amount from All American Concrete, Inc. Motion by Stevenson, second by Miller to approve agenda/consent agenda items A through C. AYES: Stevenson, Miller, Pierce, Shields, Ellyson. Motion carried.

EXPENDITURES	10/3/2016	
BAKER & TAYLOR INC.	BOOKS	430.75
BRIDGES, THEODORE	FLAG FOOTBALL REF	50.00
BSN SPORTS INC	SUPPLIES	326.40
COMMUNITY SAFETY NET	COMMUNITY SAFETY NET	150.00
CORNERSTONE EXCAVATING, INC	CORNERSTONE EXCAVATING, INC.	113,818.09
CULLIGAN WATER TECHNOLOGIE	WATER SOFTENER SERVICE	35.20
D&R PEST CONTROL	D&R PEST CONTROL	70.00
ECONO SIGNS LLC	SIGNAGE	326.60
HANSEN ASPHALT	MAIN ST REPAIR	26,560.00
HAWKINS INC	CHEMICALS	1,977.13
HBK ENGINEERING LLC	309-PH 1 PARK IMPROVEMENTS	2,465.10
HILL, SHERRY	HILL, SHERRY	200.00
HOLLYWOOD GRAPHICS	TEAM SHIRTS	757.90
IMWCA	WORK COMP INSURANCE	5,140.00
IOWA DEPARTMENT OF NATURAL	2017 ANNUAL WATER USE FEE	66.00
JETCO ELECTRIC INC.	REPAIR SERVICE	596.90
JOHN DEERE FINANCIAL	CLOTHING	99.99
KNOCHE, REBECCA	TRAVEL EXPENSE	47.67
KNOOP, MITCHELL	FLAG FOOTBALL REF	50.00
LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	1,300.36
LYNCH'S EXCAVATING INC	DIG OPEN DRAIN TILE	6,704.16
LYNCH'S PLUMBING INC	HOLES FOR FLAG POLES	380.00
MAIN STREET WEST BRANCH	MAIN STREET WEST BRANCH	15,500.00
OVERDRIVE INC	EBOOKS	289.97
PEDERSEN, DALYN	FLAG FOOTBALL REF	25.00
PITNEY BOWES INC	POSTAGE MACHINE RENTAL	180.00

PLAY IT AGAIN SPORTS	SUPPLIES	49.41
QC ANALYTICAL SERVICES, LLC	SEWER	730.00
QUALITY ENGRAVED SIGNS	DOG FECES WARNING SIGNS	63.00
SCHIELE, BRETT	FLAG FOOTBALL REF	25.00
SPRINGDALE AGENCY	FIRE PAK INSURANCE POLICY	14,421.00
THOMPSON, ZACH	FLAG FOOTBALL REF	25.00
UNITED STATES GEOLOGICAL SURVEY	WATERFLOW STUDY	19,980.00
USA BLUE BOOK	MAINTENANCE SUPPLIES	917.17
VEENSTRA & KIMM INC.	P&Z PEDEN SOIL CONTAM INVESTI	20,957.24
VERIZON WIRELESS	TELEPHONE SERVICE	822.68
WATER SOLUTIONS UNLIMITED	PHOSPHATE	2,515.00
ANYWERLING ABSRACT COMP	UPDATE ABSTRACT	275.00
WEST BRANCH COMMUNITY SCHOOL	GYM RENT-3/4 VOLLEYBALL	382.50
WEST BRANCH FORD	MAINT AGREEMENT	1,115.00
YOTTYS, INC.	HHTD GOLF CART RENTAL	1,000.00
TOTAL		240,825.22
PAYROLL	9/23/2016	50,316.94
PAID BETWEEN MEETINGS		
BAKER & TAYLOR INC.	BOOKS	452.09
MEDIACOM	CABLE SERVICE	40.90
OLSON, KEVIN D	LEGAL SERVICE	1,500.00
UPS	SEWER-SHIPPIING	41.46
US BANK CORPORATE CARD	REC SUPPLIES, TRAINING, TRAVEL	4,323.02
VEENSTRA & KIMM INC.	ENGINEERING SERVICES	23,536.21
TOTAL		29,893.68
GRAND TOTAL EXPENDITURES		321,035.84
FUND TOTALS		
001 GENERAL FUND	65,054.03	
022 CIVIC CENTER	43.12	
031 LIBRARY	8,926.90	
036 TORT LIABILITY	18,746.60	
110 ROAD USE TAX	28,461.16	
112 TRUST AND AGENCY	10,892.23	
160 REVOLVING LOAN FUND	375.52	
305 MAIN ST CROSSINGS PROJECT	560.56	
306 4TH ST IMPROVEMENTS PROJECT	117,914.39	
307 MAIN ST INTERSECTION IMPROVEMENTS	8,612.28	
308 PARK IMP - PEDERSEN VALLEY	511.92	
309 PHASE I PARK IMPROVEMENTS	2,465.10	
310 COLLEGE STREET BRIDGE	8,846.80	
312 DOWNTOWN EAST REDEVEOPMENT	275.00	
600 WATER FUND	16,062.30	
610 SEWER FUND	7,235.27	
740 STORM WATER UTILITY	26,052.66	
GRAND TOTAL	321,035.84	

COMMUNICATIONS/OPEN FORUM

Rod Ness, Cedar County Economic Development Commission (CCEDCO) invited the Council to attend a Grow Here event on Wednesday, October 12, 2016 at the Tipton Fire Station. The meeting is an opportunity for local government officials, community leaders and interested citizens to learn about the Iowa Downtown Resource Center and how it can assist toward successful community and economic development.

Jodi Clemens, 1897 Fox Avenue in unincorporated Cedar County, IA and local business owner addressed the Council and requested for consideration an ordinance change for outdoor alcohol sales.

Pete Swisher, Superintendent Herbert Hoover National Park Historic Site gave a brief overview on the park's storm water project and invited the Council to attend an upcoming meeting on October 25, 2016 at the Hoover House to discuss the planning processes for storm water mitigation.

PUBLIC HEARING/NON-CONSENT AGENDA

Mayor Roger Laughlin – Recognition of Heritage Merchants.

Laughlin presented Peggy Jeffries with a certificate of appreciation for her efforts in bringing a unique business to the downtown.

Mayor Roger Laughlin - Appointments/Reappointments/Move to action.

Charles Varnum – Library Board of Trustees, June 30, 2019

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

Mr. Jonny Stax, Jonny Stax Presents, Inc. and Ms. Tara Langley - Promoting West Branch

Stax and Langley presented four potential city logos for Council consideration. The Council reviewed and voted on their favorite. Stax also provided an update of promotions strategies including inviting the Council to the final promotions strategies meeting at 5:30 p.m. on October 12, 2016 at The Brick Arch Winery when the tag line and strategy implementation would be discussed.

Mr. Nate Kaas, Fehr-Graham Engineering – Park Space in Pedersen Valley

Kass presented two park layout concepts and requested feedback from the Council. Both layouts had advantages and disadvantages one being the amount of earth moving and the other not impacting the pipeline. Concept number one showed all amenities away and off of the pipeline. Kaas also mentioned that this scenario required no additional fill. Concept number two would require a large amount of fill and had one of the ball fields on top of the pipeline. The Council unanimously agreed that an aquatic center was more important than a banquet room and asked for the removal of the banquet room from one of the drawings. Ellyson questioned the location of playgrounds being too near parking, and Kaas explained the rationale behind the location decision. Shields expressed concern of noise and light and how that might affect residents at the Crestview Care Facility. After consideration, the Council asked Kaas to revise concept number 1 to add a swimming pool and eliminate (if necessary) the banquet room. Council also asked Kaas to bring back concept number 2 with excavation estimates if fill were to be taken from the north end of the unutilized portion of the West Branch Municipal Cemetery (north of the Public Works maintenance building in the Cemetery).

Third Reading of Ordinance 742, amending Chapter 31 “Police Department,”/Move to action.

Motion by Ellyson, second by Miller to approve Ordinance 742. AYES: Ellyson, Miller, Shields, Stevenson, Pierce. Motion carried.

ORDINANCE NO. 742

AN ORDINANCE AMENDING TITLE “POLICE, FIRE AND EMERGENCIES”, CHAPTER 30 “POLICE DEPARTMENT”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 30 “POLICE DEPARTMENT” of the Code of West Branch, Iowa is hereby amended by deleting Section 30.11 “RESIDENCY REQUIREMENT” in its entirety and inserting in lieu thereof:

30.11 RESIDENCY REQUIREMENT

All full-time peace officers, including the Police Chief, shall establish a residence within an eight mile radius of West Branch within six months of their date of employment, and continued residency within that eight mile radius of West Branch is a requirement for continued employment with the City. Peace officers will not utilize a city vehicle for transportation to and from any residence outside of the city limits, unless the full-time peace officer is on call and receives authorization from the Police Chief to do so. The Police Chief shall ensure that all full-time peace officers comply with these requirements.

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 3rd day of October, 2016.

First Reading:	September 6, 2016
Second Reading:	September 19, 2016
Third Reading:	October 3, 2016

Roger Laughlin, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

First Reading of Ordinance 743, Amending Title Chapter 92 "Water Rates."/Move to action. Resolution 1518, approving West Branch High School Phase 3 Improvements Project Site Plan./Move to action.

Muckler reviewed the proposed rate structure increase stating that it would increase the minimum gallon bill from 1700 gallons to 2000 gallons over a three year period and include a two percent increase each year. He also stated that the increase would help fund future water projects citing the issue of public safety for residents on 6th Street where a four inch water main does not allow for proper fire protection. Shields asked how this increase would affect the larger users and Muckler replied that they would continue to receive the discount for usage over 250,000 gallons but would be charged the two percent increase on their first 250,000 gallons per month. Pierce asked if other cities do annual increases. Miller stated that he did not feel the increase would allow water projects to be constructed as the increase amount was too minimal. Miller felt that the City should instead plan to use CIP dollars to fund such projects.

Motion by Shields, second by Ellyson to approve first reading of Ordinance 743. AYES: Shields, Ellyson, Stevenson. NAYS: Pierce, Miller. Motion carried.

Resolution 1518, approving West Branch High School Phase 3 Improvements Project Site Plan./Move to action.

Muckler reported that the Planning & Zoning Commission approved the site plan but also recognized that the future storage/concession building would require a separate site plan. He also stated that staff felt the need for a 28E agreement with the school for hydrant maintenance and flushing. Brian Boelk, HBK Engineering offered additional comments on the schools plans to address safety issues with regard to proper fire protection and emergency vehicle access. He also described the use of future multi-use building.

Motion by Stevenson, second by Shields to approve Resolution 1518. AYES: Stevenson, Shields, Pierce, Miller, Ellyson. Motion carried

Resolution 1519, approving Change Order No. 3 in the amount of \$2,522.20 to All American Concrete, Inc. for the installation of additional concrete at Wapsi Creek Park on the West Branch Parks and Recreation Phase 1 Improvements Project./Move to action.

Muckler explained the chain of events which led to this change order. He explained that the original plans from 2011 did not include pouring a driveway approach to 119 N. 2nd Street. After the project failed to receive funding in a previous budget, a plan was developed that would have been constructed by city staff, which included an approach to 119 N. 2nd Street. That in-house project was never completed due to staff time and funding constraints, but those plans had been provided to a neighboring business owner in 2012. The original plans, without the

approach to 119 N. 2nd Street were provided to the designing engineer. The engineer then designed the project without the approach. Brian Boelk with HBK Engineering stated that he requested a bid for a change order, but that the contractor, All American Concrete Inc., proceed before that change order was approved by Council. Motion by Shields, second by Stevenson to approve Resolution 1519. AYES: Shields, Stevenson, Ellyson. NAYS: Miller, Pierce. Motion carried.

Resolution 1520, approving a road closure on Saturday October 8, 2016 from 4:00 p.m.-10:00 p.m. of the 100 blocks of East Main Street, West Main Street, North Downey Street and South Downey Street and five-day liquor license permits for beer and wine for Fall Fest sponsored by West Branch Community Development Group./Move to action.

Laughlin distributed a map of the event area and Tami Urmie, co-chairperson of Fall Fest gave an overview of the weekend's events including times of the requested street closure. Council expressed concerns on the street closure request, limited parking and safety of residents. Shields asked Police Chief Mike Horihan for his comments and if this event required additional police staffing. Pete Swisher noted that usually a permit is required for events that impact the park, but since this event does not affect the park but does affect the residents on Wetherell Street, Swisher informed Main Street Community Development Group (CDG) Director Kevin Rogers that their permit will be denied but instead will issue a public safety notice to the residents on Wetherell. Horihan stated that Wetherell residents will have access to their homes through the Enlow Parking lot and out on South Poplar, similar to Hoover's Hometown Days. Deputy Clerk Brick also provided her comments on the steps to get approval for a special five-day license for the event. She stated that the Council was not given information on the event until September 6th City Council meeting and that she had received multiple changes to the sketch of the event area which affects what type of license each business could apply for the event. Some of the changes were due to the cost associated with each license which was up to each business to determine if it was cost prohibitive. She also stated that as of the start of this meeting, all three business wanting to participate had now applied for the correct applicable license based on the most recent sketch provided, but were all pending DRAM, which does not allow the Council to approve the license without changing the Resolution 1520. Laughlin spoke on behalf (CDG) and stated that all future events will be better planned well in advance of the event date. Shields gave his final comments on the matter and although he feels this is a community building event, he also expressed his concerns with the planning, street closure request, and that the Council was not given sufficient time to review and ensure that all rules with regard to liquor licensing were being upheld.

Pierce amended his motion to approve Resolution 1520 to include approval of the road closure and approve the liquor license subject to the approval of the DRAM insurance by ABD as two separate items. Resolution 1520 will be rewritten to amend as such.

Motion by Pierce, second by Stevenson to amend Resolution 1520. AYES: Pierce, Stevenson, Shields, Miller, Ellyson. Motion carried.

Motion by Pierce, second by Ellyson to approve the amended Resolution 1520. AYES: Pierce, Stevenson, Shields, Miller, Ellyson. Motion carried.

CITY STAFF REPORTS

Library /IT Director Nick Shimmin – Library Staffing Update

Shimmin commented that the ad in West Branch Times for a Library Assistant was being pulled at this time and that part time hours would be absorbed by current part-time staff.

City Engineer Dave Schechinger – Beranek Park Project, Concept #4

Schechinger presented a revised scope of work on the project that showed reduced street repairs. The parking lot will be increased to accommodate more parking spaces. Muckler requested feedback from the Council to pursue an engineering services agreement with V&K. Council expressed support for the purchase of a shed and the paving of one-half of the Cassabaum driveway in exchange for the land that Cassabaum would give to the City that would allow safe travel down Beranek Drive and expanded parking in the Beranek Park lot.

City Administrator Matt Muckler – FY17 Capital Improvements Projects

Muckler provided an overview of utility and street work projects currently scheduled for FY2017: Beranek Park parking lot improvements, 1st and 2nd Street improvements from Main to Green and S. Maple from 2nd to 4th.

Council members expressed support for potential sidewalk and stormwater improvements to the 100 block of East Main Street instead of improvements on S. Maple.

City Administrator Matt Muckler – FY16 Street Finance Report

Muckler gave an overview of the annual report and noted that the purpose of the report is to tell the State how the City spent the funds in the areas of maintenance, construction, reconstruction and improvements of city streets.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Council Member Mary Beth Stevenson – Lower Cedar Watershed Meeting

Stevenson invited Council members and interested staff and residents to a meeting at the City Office on November 9, 2016 from 1:00 to 3:30 p.m. for forming a watershed management authority. The purpose of forming this authority is to work together, leverage resources and look into flooding and water quality issues.

Council Member Mary Beth Stevenson - Residential Individual Lot Site Plan Requirements

Stevenson reported that she had attended the Planning & Zoning meeting and that the commission members were willing to look at the requirements but wanted time to review and make suggestions.

Mayor Roger Laughlin – Update on Lions Field Creek Restoration Project

Laughlin reported on the resident meeting and said that the consensus of the residents is that they were not interested in creating a homeowner’s association or moving their sheds that are in the city’s easement. City staff has asked HBK Engineering to further define the project area and bring that back to the Council at a future meeting, so that a determination can be made on whether sheds could be allowed to stay. Staff recommended that a plan should be devised that would eventually eliminate all obstructions in the floodplain.

Council Member Jordan Ellyson

Reported that she had attended a West Branch Community School District School Improvement Advisory Committee (SIAC) Meeting in the Hoover Elementary School Library on September 26, 2016. She reported that the upcoming facilities improvements were intended to increase student safety and learning opportunities. She encouraged community members to attend future meetings. Ellyson also reported that an upcoming bond referendum would be held in April 2017 to fund the improvements.

ADJOURNMENT

Motion to adjourn regular meeting by Shields, second by Stevenson. Motion carried on a voice vote. City Council meeting adjourned at 9:26 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk