

(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

**November 7, 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: Colton Miller, Tim Shields, Mary Beth Stevenson, Jordan Ellyson and Brian Pierce were present. 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 and Parks & Recreation Director Melissa Russell.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Approve minutes from the October 17, 2016 regular City Council Meeting.

Approve claims.

Approve Change Order No. 3 in the amount of \$1,820.00 to Oasis Electric, LLC for removal and replacement of the center pole on the volleyball court at Beranek Park for the West Branch Parks and Recreation Phase 1 Improvements Project.

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

EXPENDITURES	11/7/2016	
AHLERS & COONEY, P.C.	SUPPLIES	31.80
ALL AMERICAN CONCRETE INC	307 MAIN ST INTERSEC & SIDEWAL	14,099.90
BAKER & TAYLOR INC.	BOOKS	585.84
BEST BUY BUSINESS ADVANTAG	CAMERAS AND SUPPLIES	825.41
CAJ ENTERPRISES INC	STOCKPILE-ROADSTONE HAULING	965.62
CEDAR COUNTY PUBLIC HEALTH	PD/LIB/FIRE/ADM/ST FLU SHOTS	375.00
CEDAR RAPIDS PHOTO COPY IN	COPIER MAINTENANCE	46.16
COPYWORKS	CHILI SUPPER FLYERS	116.00
CULLIGAN WATER TECHNOLOGIE	WATER SOFTENER SERVICE	39.15
DIAMOND VOGEL PAINTS	TRAFFIC PAINT	18.00
FEHR GRAHAM	308 PEDERSEN VALLEY PARK IMPRO	4,700.00
FINANCIAL ADJUSTMENT BUREA	COLLECTION SERVICE FEE	8.59
GREAT AMERICAN BUSINESS PR	PET WASTE BAGS	480.00
HOLIDAY INN DES MOINES AIR	TRAVEL - IMFOA - BRICK	380.80
ICMA	ADMIN-ICMA DUES 2017	698.46
IMWCA	WORK COMP INSTALL #6	20,238.00
IOWA LAW ENFORCEMENT ACADE	FIREARMS INSTRUCTOR TRAINING	150.00
KOCH BROTHERS INC	COPIER MAINTENANCE	225.71
LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	1,253.90
MIDWEST FRAME & AXLE	EQUIPMENT REPAIR	474.70
MIDWEST JANITORIAL SERVICE	OCT JANITORIAL SERVICE	656.26
MOORE'S WELDING INC	EQUIPMENT REPAIR	715.00
ODE DESIGN	BOOK	44.00
OVERDRIVE INC	AUDIOBOOKS, EBOOKS	332.96
PLUNKETT'S PEST CONTROL IN	PEST CONTROL-CITY OFFICE	95.18
PORT 'O' JONNY INC.	PORT TOILET SERVICE	87.00
QUILL CORP	OFFICE SUPPLIES	127.60
REPUBLIC SERVICES OF IOWA	DOCUMENT DESTRUCTION	50.95
RIVER PRODUCTS COMPANY INC	RIVER PRODUCTS COMPANY INC	1,589.71
S & G MATERIALS	STOCKPILE-ROADSTONE	129.69
SENSUS USA	SOFTWARE SUPPORT	1,893.15
TRANS-IOWA EQUIPMENT INC	REPAIR PARTS	1,546.41
TRUGREEN PROCESSING CENTER	LION'S FIELD - LAWN SERVICE	145.00
VEENSTRA & KIMM INC.	ENG- WATER MAIN IMP-MAIN, WATE	15,634.00
TOTAL		68,759.95
PAYROLL	10/21/2016	49,837.01
EXCESS SICK TIME PAYROLL	10/25/2016	1,007.55
PAYROLL	11/4/2016	38,586.13

ALL AMERICAN CONCRETE	309 PHASE 1 PARK IMPROVEMENTS	154,975.11
LESLIE BRICK	TRAVEL-IMFOA	121.50
CEDAR COUNTY COOP	VEHICLE FUEL	1,755.68
IHEART MEDIA	ADVERTISING	724.00
IOWA STATE FAIR	TICKETS	1,053.00
REBECCA KNOCHE	TRAVEL	94.34
MEDIACOM	CABLE SERVICE	40.90
MISCELLANEOUS VENDORS	UTILITY REFUNDS	87.20
PITNEY BOWES PURCHASE POWER	POSTAGE	500.00
PORT O JONNY INC	PORTABLE TOILET RENTAL	87.00
PRO-VISION	SUPPLIES	60.34
QC ANALYTICAL SERVICES	LAB ANALYSIS	584.00
PAUL STAGG	TRAVEL	241.41
UPS	SEWER - SHIPPING	62.06
US BANK CORPORATE CARD	SUPPLIES, TRAINING, TRAVEL EXPENSE	1,419.65
VERIZON WIRELESS	WIRELESS SERVICE	895.31
WALMART COMMUNITY/GEMB	BOOKS, SUPPLIES	333.25
MCKENNA WALSH	VOLLEYBALL REF	45.00
WEST BRANCH FORD	VEHICLE MAINTENANCE	109.22
WEST BRANCH TIMES	ADVERTISING	1,179.83
HANNAH WESTCOTT	VOLLEYBALL REF	60.00
TOTAL		164,428.80
GRAND TOTAL EXPENDITURES		322,619.44
FUND TOTALS		
001 GENERAL FUND	56,855.15	
022 CIVIC CENTER	318.39	
031 LIBRARY	12,761.30	
036 TORT LIABILITY	22,516.60	
110 ROAD USE TAX	10,186.83	
112 TRUST AND AGENCY	15,263.65	
306 4TH ST IMPROVEMENTS PROJ	2,987.74	
307 MAIN ST INTERSECTION IMP	14,630.90	
308 PARK IMP - PEDERSEN VALLEY	4,700.00	
309 PHASE 1 PARK IMPROVEMENTS	154,975.11	
310 COLLEGE STREET BRIDGE	2,834.50	
600 WATER FUND	13,939.97	
610 SEWER FUND	10,649.30	
GRAND TOTAL	322,619.44	

COMMUNICATIONS/OPEN FORUM

Blake Shultice- Hoover Elementary 4th grade Social Studies teacher. Shultice explained that the students were learning how government works and how bills (ordinances) were passed into law. Several students appeared before the Council and presented a request for an ordinance to allow chickens in West Branch. The students outlined the steps they used to define the rules of the ordinance.

Chief Mike Horihan requested the Council to consider a business accommodation for additional restricted parking for patients of Muscatine Physical Therapy during daytime business hours on North Downey Street. Council members expressed concern with giving preferential parking to certain businesses when accommodations are not given to others. Horihan said he would visit again with the business and see if other alternatives could be worked out.

PUBLIC HEARING/NON-CONSENT AGENDA

Mayor Pro Tem Colton Miller - Appointments/Reappointments/Move to action.

Cole Tisinger, Volunteer – West Branch Fire & Rescue Department

Mikayla Hunter, Cadet – West Branch Fire and Rescue Department

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

Resolution 1524, directing the Mayor to send a zoning confirmation letter to VBJ LLC./Move to action.

Motion by Pierce, second by Ellyson to approve Resolution 1524. AYES: Pierce, Ellyson, Stevenson, Shields, Miller. Motion carried.

City Attorney Kevin Olson - Discussion of Incentives for Cotton Creek Mill

Olson explained that the City had received a request from the owner for a loan in the amount of \$20,000 with terms of repaying over a two year period. The owner would be required to submit a business plan and present it to the Council for consideration.

Second Reading of Ordinance 743, Amending Title Chapter 92 "Water Rates."/Move to action.

Stevenson expressed her concern on the proposed rate structure and didn't feel it encouraged water conservation. She commented that she had previously voted in favor of it but after further consideration, could not support the proposed structure. Miller and Pierce also indicated that they hadn't changed their position.

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

First Reading of Ordinance 744, Amending Chapter 69 of the Code of Ordinances regarding parking regulations./Move to action.

Olson explained that this amendment would prohibit parking between the curb and the sidewalk. Horihan commented that with the current code was vague and needed to be clarified in order to be enforced. He stated that he had noticed several cars parking in the city right-of-way and that it does pose a safety concern as well as other issues. Council members observed that the resolution indicated 'sidewalk and curb' and felt that since some streets didn't have 'curbs' that a revision should be made to the resolution clarifying the violation area.

Motion by Shields, second by Stevenson to postpone first reading of Ordinance 744 until the next City Council meeting. Olson will rewrite the ordinance change. AYES: Shields, Stevenson, Pierce, Miller, Ellyson. Motion carried.

Resolution 1525, authorizing internal advance to the tax increment financing fund./Move to action.

Motion by Stevenson, second by Miller to approve Resolution 1525. AYES: Stevenson, Miller, Ellyson, Shields, Pierce. Motion carried.

Resolution 1526, approving the West Branch Police Department Policies and Procedures Manual./Move to action.

Motion by Miller, second by Shields to approve Resolution 1526. AYES: Miller, Shields, Ellyson, Stevenson, Pierce. Motion carried.

Resolution 1527, approving various contracts for the 2017 Hoover's Hometown Days Celebration in the amount of \$41,644.00./Move to action.

Motion by Miller, second by Pierce to approve Resolution 1527. AYES: Miller, Pierce, Ellyson, Shields, Stevenson. Motion carried.

Resolution 1528, designating Foster Street as a Special 20 MPH Speed Zone per Subsection 63.04(2)A in the Code of Ordinances of the City of West Branch, Iowa./Move to action.

Motion by Pierce, second by Ellyson to approve Resolution 1528. AYES: Pierce, Ellyson, Miller, Stevenson, Shields. Motion carried.

Resolution 1529, approving legal services agreement and authority to represent with Lynch Dallas, PC in an amount not to exceed \$2,300./Move to action.

Motion by Shields, second by Miller to approve Resolution 1529. AYES: Shields, Miller, Stevenson, Pierce, Ellyson. Motion carried.

City Administrator Matt Muckler - FY17 Capital Improvement Projects

Muckler presented two versions of the plan to Council with changes in prioritizing projects. After some discussion the Council preferred version A.

Resolution 1522, approving two engineering services agreements with Veenstra & Kimm, Inc. for the Main Street Sidewalk Improvements – Phase 4 and the North First Street Improvements Projects in an amount not to exceed \$51,050./Move to action.

Motion by Stevenson, second by Pierce to approve Resolution 1522. AYES: Stevenson, Pierce, Ellyson, Shields, Miller. Motion carried.

Resolution 1530, considering the issue of whether Acciona Windpower North America, LLC should be rebated a portion of tax increment revenues./Move to action.

Motion by Miller, second by Ellyson to approve Resolution 1530. AYES: Miller, Ellyson, Stevenson, Pierce, Shields. Motion carried.

Resolution 1531, approving Supplemental Agreement No. 1 – Phase II Final Design Services on the College Street Bridge Replacement Project with Veenstra & Kimm, Inc. for the lump sum of \$92,860./Move to action.

Motion by Shields, second by Stevenson to approve Resolution 1531. AYES: Shields, Stevenson, Miller, Ellyson, Pierce. Motion carried.

Resolution 1532, accepting the West Branch, Iowa Main Street Intersection and Sidewalk Improvements Project as substantially complete./Move to action.

Motion by Miller, second by Pierce to approve Resolution 1532. AYES: Miller, Pierce, Shields, Stevenson, Ellyson. Motion carried.

Resolution 1533, approving a commercial services agreement with TruGreen Commercial in the amount of \$2,504./Move to action.

Motion by Miller, second by Pierce to approve Resolution 1533. AYES: Miller, Pierce, Ellyson, Stevenson, Shields. Motion carried.

Resolution 1534, authorizing new funds./Move to action.

Muckler stated that four new funds would be created per the auditor's request. The funds will be used for future capital improvement projects and will enable better spending tracking on projects. Muckler indicated funds will be set up for North 1st Street, Main Street Sidewalk Phase 4, Main Street Water Main project and I&I Phase II.

Motion by Miller, second by Ellyson to approve Resolution 1534. AYES: Miller, Ellyson, Pierce, Shields, Stevenson. Motion carried.

Resolution 1535, authorizing internal advance to the tax increment financing fund./Move to action.

Motion by Miller, second by Ellyson to approve Resolution 1535. AYES: Miller, Ellyson, Stevenson, Pierce, Shields. Motion carried.

Resolution 1536, authorizing the transfer of funds./Move to action.

Motion by Miller, second by Ellyson to approve Resolution 1536. AYES: Miller, Ellyson, Shields, Stevenson, Pierce. Motion carried.

CITY STAFF REPORTS

Library/IT Director Nick Shimmin – West Branch Public Library Annual Report

Shimmin presented the FY16 report (July 1, 2015 – June 30, 2016) and highlighted the library's visitor counts, circulation (number of items checked out) and electronic use statistics. He also noted some physical changes the library made this year to the children's area which included new furniture. Shimmin also

commented that building esthetic issues will be addressed this fiscal year as well including painting, new carpet and other building repairs.

City Engineer Dave Schechinger – I-80 Meeting with Iowa Department of Transportation and Johnson County Engineer’s Office

Schechinger said a meeting took place last week with member of IDOT regarding lane expansions from Iowa City to West Branch. Some issues discussed were impact to adjacent property owners, noise, a request for an acceleration lane (westbound), and concerns for trail expansion under the interstate. Schechinger also commented that emergency detours routes were discussed and how West Branch would be impacted. Overall, he felt the meeting was beneficial for both sides.

City Attorney Kevin Olson - Casey’s General Store #2524, located at 311 E. Main Street

Olson reviewed the development agreement related to the ‘first right of refusal’ issue and anticipates bringing something back to the Council in the near future.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Laughlin reported that he had attended a meeting with the National Park Service on their storm water mitigation project and said the City may have some partnership opportunities in the planning and engineering. Laughlin also questioned where the downtown trash receptacles had gone. Miller also stated that he had been receiving several complaints on the 4th Street project and why it was taking so long. He also requested that the City do a better job educating the residents for the big projects. Shields also stated that he had a conflict with the next regular City Council meeting being during the holiday week. Other members also had a conflict and requested that the meeting be rescheduled to Monday, November 28, 2016.

ADJOURNMENT

Motion to adjourn regular meeting by Shields, second by Ellyson. Motion carried on a voice vote. City Council meeting adjourned at 9:13 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Leslie Brick, Deputy City Clerk