

(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

**August 1, 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 and Mary Beth Stevenson were present. Councilperson Tim Shields was absent. Laughlin welcomed the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, Police Chief Mike Horihan, Parks and Recreation Director Melissa Russell.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Approve minutes from the July 18, 2016 Regular City Council Meeting.

Approve Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales privileges for Thirsty on 30 Inc. DBA Thirsty on 80.

Approve Class B Beer Permit (includes wine coolers) with Outdoor Service for Herb N Lou's on August 5, 2016 and August 6, 2016.

Approve Class B Beer Permit (includes wine coolers) with Outdoor Service for the Downunder on August 5, 2016 and August 6, 2016.

Approve Change Order No. 1 in the amount of \$5,465 and Partial Pay Estimate No. 1 in the amount of \$168,985.52 to Cornerstone Excavating Inc. for work completed on the 4th Street Reconstruction Project through July 8, 2016.

Approve Change Order No.1 in the amount of \$892 and Partial Pay Estimate No. 1 in the amount of \$74,061.05 to All American Concrete, Inc. for work completed on Main Street Sidewalk-Phase 3 Project through July 6, 2016.

Approve claims.

Motion by Pierce, second by Stevenson to approve agenda/consent agenda. There was discussion on Thirsty on 80, that it had not passed the insurance inspection and whether they should approve the Permit, contingent on passing the insurance inspection. There was also discussion on the permits for Herb N Lou's and the Downunder. The state issued the permits for both August 5 and August 6 but the council would like to have the permits valid only for August 6.

Motion by Pierce, second by Stevenson to postpone voting on approval of Thirsty on 80 Liquor License until August 15. AYES: Pierce, Stevenson, Miller, Ellyson,. Motion carried.

Motion by Miller, second by Ellyson, to amend agenda items c and d to omit the date of August 5 from the approved dates on the permit. AYES: Miller, Ellyson, Stevenson, Pierce. Motion carried.

There was discussion on the claims from the Cedar County Auditor for Disaster Services Assessment and Solid Waste Assessment which had approval withheld at the last meeting because further clarification was sought on what the claims were for. The Disaster Services Assessment was for 911 service fees and the Solid Waste Assessment was for allowing West Branch residents to take items to the Cedar County Transfer Station.

Voting on the original motion: AYES: Pierce, Stevenson, Miller, Ellyson. Motion carried.

EXPENDITURES		8/1/2016
B & B EVENTS	B & B EVENTS-HHTD ENTERTAINMEN	8,000.00
BP AMOCO	VEHICLE FUEL	241.00
CEDAR CO SHERIFF'S OFFICE	SERVICE 07161WBCIC000117	97.08
CEDAR COUNTY CLERK OF COUR	COURT COSTS 07161WBC000115	85.00
CENTURION TECHNOLOGIES INC	SOFTWARE LICENSES	88.00
CHARLES E ALLEN	CHARLES E ALLEN-HHTD ENTERTAIN	250.00
COMPUTER PROJECTS OF IL IN	SOFTWARE LICENSE & MAINTENANCE	343.20
CY'S TREE SERVICE	TREE REMOVAL 4TH ST INTERSECTI	12,750.00
DIAMOND VOGEL PAINTS	DIAMOND VOGEL PAINTS	565.50
DORSEY & WHITNEY LLP	LEGAL FEES	8,036.24
EDGAR, GORDON	TRAVEL EXPENSE & POSTAGE	191.87
FELD FIRE EQUIPMENT CO. IN	EQUIPMENT MAINTENANCE SERVICE	600.00
FLYING HOUNZDZ FRIZBEE LLC	FLYING HOUNZDZ FRIZBEE LLC-HHTD	2,062.50
FREEMAN LOCK & ALARM INC	KEYS	11.25
GOERDT, TERENCE J	INSPECTION SERVICES	315.00

GRIMM, DAVID E	GRIMM, DAVID E-HHTD PONY RIDES	1,200.00
HAWKINS INC	CHEMICALS	1,156.32
HBK ENGINEERING LLC	309 PH I PARK IMPROVEMENTS	7,482.20
HY-VEE ACCOUNTS RECEIVABLE	PROGRAM SUPPLIES	47.34
IMWCA	WORKMEN'S COMPENSATION INSURAN	5,140.00
INTERNATIONAL INST OF MUNI	MEMBERSHIP FEE	180.00
IOWA DEPARTMENT OF PUBLIC	ON-LINE WARRANTS SYSTEM	1,200.00
ISWEP	MEMBERSHIP DUES	530.60
JOEY DEAN WENNDT	FIRE TRAINING	150.00
JOHN DEERE FINANCIAL	SUPPLIES & EQUIPMENT	625.78
KEVIN R. BURT	KEVIN R. BURT-HHTD ENTERTAINMENT	1,200.00
KOCH BROTHERS INC	OFFICE SUPPLIES	312.77
L. L. PELLING CO. INC	STREET REPAIRS	54,025.05
LIBERTY COMMUNICATIONS	TELEPHONE SERVICE	1,206.88
LYNCH'S PLUMBING INC	4TH ST IMPROVEMENTS	615.00
MEDIACOM	CABLE SERVICE	40.90
MESSENGER, BRETT	MESSENGER, BRETT-HHTD ENTERTAI	850.00
MIDWEST INFLATABLES	MIDWEST INFLATABLES-HHTD ENTER	9,000.00
MIDWEST JANITORIAL SERVICE	JANITORIAL SERVICE	656.26
MUNICIPAL SUPPLY INC.	MAINTENANCE SUPPLIES	21,599.70
QC ANALYTICAL SERVICES LLC	LAB ANALYSIS	730.00
QUILL CORP	OFFICE SUPPLIES	133.75
RICK EUGENE	RICK EUGENE-HHTD ENTERTAINMENT	150.00
ROBERT HUNT	ROBERT HUNT-HHTD ENTERTAINMENT	500.00
RUSSELL, MELISSA	PROGRAM SUPPLIES	127.27
S & S FLATWORK LLC	SIDEWALK REPLACEMENT	9,135.00
SID V & THE HUMAN RESOURCE	SID V & THE HUMAN RESOURCES-HH	50.00
STAGG, PAUL	PHONE CHARGER	19.25
STATE HYGIENIC LAB	LAB ANALYSIS	25.00
SUPPLYWORKS	MAINTENANCE SUPPLIES	33.38
THE IOWA CHILDREN'S MUSEUM	RECREATION ACTIVITIES	297.50
TIPTON ELECTRIC MOTORS	EQUIPMENT REPAIR	142.48
TYLER TECHNOLOGIES	TRAINING	9,128.00
VEENSTRA & KIMM INC.	CASEY'S TURN LANE CONSULTATION	36,823.31
VERIZON WIRELESS	TELEPHONE SERVICE	822.08
WEST BRANCH FORD	VEHICLE REPAIRS	152.57
WEST BRANCH TIMES	LEGAL NOTICES & ADVERTISING	3,361.12
WOOD PRODUCTS OF IOWA L.L.	GRIND TREE WASTE	8,215.00
TOTAL		211,101.15
EXPENDITURES		7/18/2016
CEDAR COUNTY AUDITOR	DISASTER SERVICES & SOLID WASTE ASSESS	22,126.28
PAID BETWEEN MEETINGS		
ALL AMERICAN CONCRETE INC	MAIN ST SIDEWALK IMPROVEMENTS PH 3	74,061.05
BROWN'S WEST BRANCH	VEHICLE MAINTENANCE	20.65
CORNERSTONE EXCAVATING INC	4TH ST IMPROVEMENTS PROJ	168,985.52
PITNEY BOWES	POSTAGE	500.00
UPS	SHIPPING	8.19
TOTAL		243,615.41
PAYROLL 7-29-16		40,836.68
GRAND TOTAL EXPENDITURES		495,553.24
FUND TOTALS		
001 GENERAL FUND		73,302.38
022 CIVIC CENTER		270.86
031 LIBRARY		5,405.50
036 TORT LIABILITY		4,325.60
110 ROAD USE TAX		65,930.42
112 TRUST AND AGENCY		4,421.96
160 REVOLVING LOAN FUND		86,028.14
306 4TH ST IMPROVEMENTS PROJ		180,303.20
307 MAIN ST INTERSECTION IMP		14,082.00
309 PHASE I PARK IMPROVEMENTS		1,240.00
310 COLLEGE STREET BRIDGE		6,635.10
600 WATER FUND		34,524.40
610 SEWER FUND		11,325.68
740 STORM WATER UTILITY		7,758.00
GRAND TOTAL		495,553.24

COMMUNICATIONS/OPEN FORUM

Rod Ness, Director of Cedar County Economic Development Commission (CCEDCO)– Provided an update on activities of CCEDCO. CCEDCO is focusing on businesses now located in Cedar County. They recently sponsored a “Get Scrappy” seminar on utilizing digital marketing to promote businesses and organizations and intend to have a similar seminar next year. They recently produced a brochure on barn quilts of Cedar County which will be distributed to rest stops and other locations utilized by visitors to the county. A Laborshed Analysis Presentation will be held on August 9th which will present characteristics of the available workforce such as size, wage rates and benefits, residence/work location, skills availability and qualification and employment availability.

PUBLIC HEARING/NON-CONSENT AGENDA

Public Hearing on proposed amendment to the West Branch Zoning Code concerning a rezoning request from Cedars Edge Golf Course.

Hearing opened at 7:13 p.m. Jerry Sexton spoke on the zoning request, saying it had not changed much from the original proposal and that the Planning and Zoning Commission had approved it. Hearing closed at 7:15 P.M.

First Reading of Ordinance 741, rezoning real property located north of Greenview Drive and East of Cedar-Johnson Road from Agriculture A-1 District to Residence R-1, R-2, and R-3, and Business B-1 Districts./Move to action
Motion by Miller, second by Pierce, to approve first reading of Ordinance 741. AYES: Miller, Pierce, Ellyson and Stevenson. Motion carried.

City Attorney Kevin Olson – Draft Cedars Edge Golf Course Development Agreements

Attorney Olson explained the terms of the two possible agreements designed to assist the developer of Cedars Edge Golf Course. The first agreement called for the city to construct street improvements for Johnson-Cedar County Road with the developer to pay the city 20% of the cost and the balance to be forgiven over a twenty year period. Terms included the developer paying for all water and sewer improvements, keeping the course open and maintaining it for twenty years, allowing the high school golf team to use it for twenty years, and constructing a new club house within five years. Estimated cost for this proposal was \$280,000. The second proposal was the same except the developer would not pay the city anything and the estimated cost to the city was \$350,000. There was much discussion on how the city could assist the developer in terms of amount of forgiveness, length of commitment to keep the course open and what alternatives may exist to these proposals. No action was taken.

Resolution 1488, approving a General Agreement between the United States Department of the Interior National Park Service and the City of West Branch, Iowa regarding Law Enforcement Assistance./Move to action.

Park Superintendent Pete Swisher explained the National Park Service is trying to get all its agreements in sync with each other and there were some technical changes in language.

Motion by Ellyson, second by Pierce, to approve Resolution 1488. AYES: Ellyson, Pierce, Stevenson and Miller. Motion carried.

Resolution 1505, fix a date of meeting for a public hearing on amending the current budget for the fiscal year ending June 30, 2017./Move to action.

City Administrator Matt Muckler explained this resolution would set a date of August 15 for a hearing to amend the FY17 budget. The budget amendment would authorize expenditure of the \$1.4 million GO bond proceeds issued in June of last fiscal year. It would also authorize \$500,000 for CIP projects that was authorized but not spent in last fiscal year because the work was not completed. It would also authorize the Revolving Loan fund to be used to pay for the Main Street Sidewalk Improvements Project – Phase 3, approximately \$100,000. The final \$100,000 will be used to make a payment on the Park land acquisition note. That payment had been budgeted for FY16 but was deferred to FY17 so that an analysis of the cities debt service ability could be completed.

Motion by Stevenson, second by Ellyson, to approve Resolution 1505. AYES: Stevenson, Ellyson, Miller and Pierce. Motion carried.

Resolution 1506, approving a 28E Agreement with the West Branch Community School District for shared maintenance of tract 1 of the pedestrian bridge and trail, generally located south of Main Street between the driveway of 827 W. Main Street and West Branch High School./Move to action.

There was no discussion.

Motion by Ellyson, second by Miller, to approve Resolution 1506. AYES: Ellyson, Miller, Pierce and Stevenson. Motion carried.

Resolution 1507, approving a Memorandum of Understanding between the National Park Service – Herbert Hoover National Historic Site, the City of West Branch, Iowa and the West Branch, Iowa Community School District for shared maintenance of tracts 2 and 3 of the pedestrian bridge and trail, generally located south of Main Street between West Branch Ford and the driveway of 827 W. Main Street./Move to action.

City Administrator Matt Muckler thanked the National Park Service for building the new bridge and said that fulfilled their part of the agreement. The other terms were that the City of West Branch would be responsible for mowing the area and the West Branch School District would be responsible for snow removal.

Motion by Miller, second by Ellyson, to approve Resolution 1507. AYES: Miller, Ellyson, Stevenson and Pierce. Motion carried.

Resolution 1508, approving Partial Pay Estimate No. 2 (final) in the amount of \$3,897.95 to All American Concrete, Inc. of West Liberty, IA and accepting the Main Street Sidewalk – Phase 3 Project as substantially completed./Move to action.

Eric Gould, Project Engineer for Veenstra & Kimm, explained that this is for releasing the retainage and officially accepting the project.

Motion by Pierce, second by Stevenson, to approve Resolution 1508. AYES: Pierce, Stevenson, Miller and Ellyson. Motion carried.

Resolution 1509, approving Change Order No. 2 in the amount of \$49,247.50 on the 4th Street Reconstruction Project./Move to action.

Eric Gould explained this would replace a water main on Northridge Drive and would be located on city right of way. Motion by Stevenson, second by Ellyson, to approve Resolution 1509. AYES: Stevenson, Ellyson, Miller and Pierce. Motion carried.

CITY STAFF REPORTS

Parks and Recreation Director Melissa Russell – Update on Hoover’s Hometown Days

Director Russell invited the Mayor and Council to come down town on Friday evening. Festivities start at 5:30 P.M. She will provide the Mayor and Council with their individual schedule of assignments. The only volunteer position remaining was for a parking lot monitor.

City Attorney Kevin Olson – Closing Cookson St west of 348 Cookson St

Attorney Olson spoke on locating the new city salt shed in the existing street right of way. This necessitates closing Cookson Street west of 348 Cookson Street. Olson will bring back an item for Council consideration at a future meeting.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Mayor Laughlin reported that he had attended a public meeting in Coralville last week with Iowa Department of Transportation regarding widening I80 from Iowa City to West Branch to three lanes. This is scheduled for 2021. He said he had suggested putting in a “quiet highway”, one covered with asphalt.

Mayor Pro Tem Colton Miller stated he was extremely disappointed with Casey’s General Store. “We allowed you to open early and here we sit on August 1st and the project is still not finished.” In the future, if we allow someone to open early, the contract should call for a daily fine if the deadline is not met.

ADJOURNMENT

Motion to adjourn regular meeting by Pierce, second by Ellyson. Motion carried on a voice vote. City Council meeting adjourned at 8:43 p.m.

Roger Laughlin, Mayor

ATTEST: _____
Gordon R. Edgar, Deputy City Clerk