

*(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**

**December 6, 2010  
6:34 p.m.**

Mayor Don Kessler opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator/Clerk Matt Muckler, City Attorney Bruce Goddard, Administrative Assistant Ashley Borland-Kaalberg, Park and Rec Director Melissa Russell, Library Director Nick Shimmin, Police Chief David Bloem, Officer John Hanna, Lead Water Operator Tim Moss. Council members: Mark Worrell, David Johnson, Robert Sexton, Dan O'Neil and Jim Oaks.

#### **APPROVE AGENDA/CONSENT AGENDA**

Motion to amend consent agenda changing the word "carried" to the word "failed" in the Council minutes from November 22, 2010.

- a. Approve minutes from the November 22, 2010 City Council Work Session and City Council Meeting.
- b. Approve the transfer of \$7500.00 from the Local Cable Access/General Fund to the Clerk & Treasurer for the Administrative Assistant position salary payments.

Roll call vote – Ayes: Johnson, O'Neil, Sexton, Worrell, Oaks. Motion carried.

#### **COMMUNICATIONS/OPEN FORUM**

None

#### **PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL**

Approve Resolution 921, a resolution approving the submittal of a letter from the city administrator on behalf of the City of West Branch to the City of West Branch Police Chief David Bloem, communicating the City's intent not to negotiate a renewal of the "Police Chief Contract" (entered into on April 1, 2009) per Chapter 14c of the Police Chief Contract, which would affirm that the contract is no longer in full force, ending the contractual relationship between the City of West Branch and Chief David Bloem, and continuing David Bloem's employment as Police Chief for the City of West Branch, Iowa pursuant to the City of West Branch Code of Ordinances and Employee Handbook and setting the hourly wage for the Police Chief for the remainder of fiscal year 2010-2011./Move to action. Johnson stated his opposition to approving the resolution. City Attorney Bruce Goddard stated his legal opinion, that the City is within its rights to approve Resolution 921. In response to concerns about city liability, Goddard suggested that a suit against the City would have to prove both liability and damages. As Bloem will be paid more under the new employment arrangement, Goddard reported that he did not anticipate any potential damages.

Motion by Oaks, second by Worrell to approve resolution 921. Roll call vote – AYES: Oaks, Worrell, Sexton, O'Neil. NAYS: Johnson. Motion carried.

First reading of Ordinance 671 amending Chapter 30 "POLICE DEPARTMENT" by adding the following section, Section 30.11: 30.11 RESIDENCY REQUIREMENT: The Police Chief shall become a resident of the City of West Branch, and continued residency in the City is a requirement for continued employment with the City./Move to action.

Motion by Worrell, second by O'Neil to approve the first reading of ordinance 671. Roll call vote – AYES: Worrell, O'Neil, Sexton, Oaks. NAYS: Johnson. Motion carried.

Approve Resolution 922, a resolution obligating funds from the Urban Renewal Tax Revenue Fund for the payment of annual appropriation tax increment financed obligations in fiscal year 2010./Move to action.

Motion by Sexton second by Worrell to approve Resolution 922. Roll call vote – AYES: Sexton, Worrell, Johnson, O’Neil, Oaks. Motion carried.

Approve Resolution 923, Amending the City Personnel Handbook./Move to action.

Motion by Sexton second by O’Neil to approve Personnel Handbook. Roll call vote – AYES: Sexton, O’Neil, Worrell, Johnson, Oaks. Motion carried.

Accept Resignation of City Attorney Bruce Goddard./Move to action.

Worrell thanked Goddard for his years with the City and noted that he would be missed. City Administrator Matt Muckler also thanked Goddard for his years with the City.

Motion by Sexton second by Johnson to accept Resignation. AYES: Sexton, Johnson, O’Neil, Oaks. NAYS: Worrell. Motion carried.

Discussion of City Attorney Recruitment Plan.

City Administrator Matt Muckler presented the recruitment schedule for the hiring of a replacement City Attorney.

**MAYOR DON KESSLER**

Appointments/Reappointments

None

**REPORTS**

City Administrator Matt Muckler- Mission Statement

Muckler presented Council with a potential mission statement for the City and noted that he was open to suggestions.

Presentation of City of West Branch Tax Increment Financing Report by Speer Financial.

Larry Burger and Maggie Burger, Speer financial Inc at 531 Commercial Street, Waterloo presented Council with West Branch City’s TIF report and were available to answer questions.

Iowa Department of Transportation notification of concrete patch project.

Council was given a letter from Iowa Department of Transportation notifying the City of IDOT’s plan to begin concrete patching on I-80 from the Johnson County line east to Scott County line on January 19, 2011.

Public Works Department – Protocol for Water Main Breaks

Lead Water Operator Tim Moss informed Council of a water main break that occurred December 1<sup>st</sup>. Moss had communication with the Cedar County Sheriff’s office and was given permission for the non emergency number to be the contact for the community in case of water emergency. The Sheriff’s office will use a contact list provided by Moss to contact the City.

**ADJOURNMENT**

Motion by Worrell to adjourn. City Council meeting adjourned at 7:45 p.m.

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MAYOR DON KESSLER

ATTEST: \_\_\_\_\_  
CITY CLERK MATT MUCKLER