

*(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**

**July 21, 2014  
7:00 p.m.**

Mayor Mark Worrell opened the West Branch City Council meeting at 7:02 p.m. by welcoming the audience and the following City staff: City Administrator Matt Muckler, Police Chief Mike Horihan, Public Works Director Matt Goodale, City Attorney Kevin Olson, and City Engineer Dave Schechinger. Council members: Colton Miller, Brian Pierce, Tim Shields, and Mary Beth Stevenson. Councilperson Jordan Ellyson was absent.

**APPROVE AGENDA/CONSENT AGENDA**

- a. Approve minutes from the June 23, 2014 City Council Meeting and City Council Work Session.
- b. Approve claims.
- c. Approve Class C Liquor License with Outdoor Service and Sunday Sales for Casa Tequila Foods 3, Inc. DBA Casa Tequila Authentic Mexican Grill.
- d. Approve Class B Beer Permit (includes wine coolers) with Outdoor Service for West Branch Firefighters Inc. on August 1, 2014 and August 2, 2014.
- e. Approve payment to Visu-Sewer, Inc. in the amount of \$80,951.13 for Partial Pay Estimate No. 2 Sanitary Sewer Rehabilitation – Phase 1.

Motion by Shields to approve, second by Pierce. AYES: Shields, Pierce, Miller, Stevenson NAYS: None. ABSENT: Ellyson. Motion carried.

Date 7-21-14	City of West Branch	
	Claims Report	
Alliant Energy	Various Depts. - Utilities	7,853.46
Amazon	Library/Comm & Cult - Supplies	482.45
Bailey, Kassie	P & R- Reimb. Mileage	97.35
Baker & Taylor Inc.	Library - Books	1,060.22
Barnhart's Custom Services	Sewer - Service	3,074.81
Barron Motor Supply	Streets/Fire - Supplies	103.39
Ben Jimenez	Library - Summer Reading Program	350.00
Big Ten Rentals	Comm & Cult - HHTD Tent	350.33
Cedar County Auditor	Sol Waste/Fire/Police -FY15 Agreements	18,306.86
Cedar County Recorder	Legal - Document Recordings	32.00
Cedar County Treasurer	P&R - 2nd 1/2 Wapsi 2012 Taxes	1,534.00
Cedar Rapids Photo Copy	Library - Service	158.15
Centurion Technologies Inc	Library - Annual Maint Fee	88.33
Chris Jones Trucking	Streets - Hauled Roadstone	160.50
City Of Tipton Rec Dept	Park & Rec -Swim/Baseball Fees	220.00
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57

Computer Projects Of Il	Police-Messenger License Renewal	343.20
Costco Wholesale	P&R/Library - Supplies	366.13
Croell Redi-Mix Inc	Streets - S 1st St Project	393.50
Culligan Water	Fire - Water Cond Rental	33.95
Deweys Jack & Jill	P&R/Library - Supplies	289.99
Diamond Vogel Paints	Streets - Traffic Paint/Supplies	1,028.00
Dorsey & Whitney	Legal- Legal Svcs Thru 6-30-14	11,586.02
East Cent Intergovt Asn.	Admin - FY15 Membership Dues	1,346.76
EFTPS	Federal Withholdings	6,492.97
ETS Corporation	Water/Sewer - Credit Card Fees	479.38
F&B Communications	Admin/Library - Website Host/Computer	719.95
FEH Associates	Park&Rec-Proj 2014206 Comm Ctr	590.00
Fenner, Coleman	Park & Rec - Youth Umpire	75.00
Financial Adjustment Bureau	Library - Service	18.40
Galls	Police - Uniforms	486.83
General Pest Control	Library - Pest Control	70.00
George Lawson Consulting	Library - Final Charrette Fee	610.88
GreatAmerica Leasing	Admin - Copier Lease	252.06
Harry's Custom Trophies	Park & Rec - Supplies	418.00
Hawkins	Water - Azone 15	931.00
HD Cline Company	Cemetery - Parts	111.54
IMWCA	Various Depts- Work Comp Dep	10,847.00
Int'l Inst Of Municipal Clerks	Admin -IIMC Dues FY15/CMC Fee	330.00
Iowa Assn. Mun. Utilities	Sewer - ISWEP Dues	510.00
Iowa City Landscaping	Streets - Maher Planting	511.50
Iowa City Press-Citizen	Library - Subscription	216.41
IC/County Management	Admin - FY15 Dues	120.00
Iowa DNR	Water - FY15 Water Supply Fee	271.47
Iowa Dept Of Public Safety	Police - FY15 Annual Fee	1,200.00
Iowa League Of Cities	Admin - FY15 Member Dues	1,227.00
Iowa One Call	Water/Sewer - Service	41.40
Iowa Rural Water Assoc.	Water - Fall Conf Training	130.00
Joey Dean Wenndt	Fire - July Training	150.00
Johnson County Emerg. Man.	Fire - FY15 Hazmat 28e	47.50
Johnson County Refuse	Solid Waste - Recycling June	3,690.75
Kevin Olson	Legal Services For July 2014	1,500.00
L. L. Pelling Co.	Streets - Green St/N Maple Projects	61,442.80
Lenoch & Cilek	Park & Rec - Supplies	26.25
Liberty Communications	Various Depts. - Phone Service	1,101.93
Librarica	Library - Support Renewal	313.35
Linn County R.E.C.	Streets - Utilities	135.00
Lynch's Excavating	Sewer - Service	110.00
Lynch's Plumbing	Fire/Water - Service/Curb Stop Repair	565.00

Mary Baldwin	Park & Rec - Youth Umpire	75.00
Matt Parrott	Water/Sewer - Utility Bills	478.52
Midwest Frame & Axle	Fire - Service Truck	1,738.66
Midwest Janitorial Service	Lib/TH/Admin/Police - Cleaning	646.56
Municipal Supply Inc.	Water - Supplies	62.93
National Park Service	Comm&Cult - Summer Concerts	500.00
Oasis Electric	P&R- New Srv Lions Field	3,476.75
Overdrive Inc	Library - Ebooks	267.43
Payroll Expense	Payroll	27,948.30
Pitney Bowes	Library - Postage Meter Lease	120.00
Pitney Bowes Inc	Admin - Postage Meter Lease	227.50
Pitney Bowes Purchase Power	Admin/Water/Sewer - Postage	500.00
Plumbers Supply Co.	Water - Supplies	179.52
Plunkett's Pest Control	Admin/Town Hall - Pest Control	93.35
Port 'O' Jonny Inc.	Cemetery/P&R - Service	174.00
Poula, Haley	Park & Rec - Youth Umpire	75.00
Qc Analytical Services	Sewer-Wastewater Training/Testing	709.00
Quality Engraved Signs	Admin - Nameplate	16.75
Quill Corp	Library/Admin - Office Supplies	419.68
River Products	Streets - Roadstone	234.84
S & G Materials	Streets - Sand	69.40
Seneca Companies	Streets - Service Soil Samples	1,755.00
Shanelle Peden	Cable - Videotaping	150.00
Springdale Agency	Streets - W/C 2013 Audit Prem	1,419.00
Terence Goerdt	Admin - Building Inspections	245.00
The Park It Bike Racks	Park&Rec - Bike Rack	753.77
Treasurer State Of Iowa	Iowa Sales Tax - June 2014	2,612.00
Trugreen	Park & Rec-Service Lions Field	590.00
Tyler Technologies	Adm/Wtr/Sew/Cem-Soft Sub Fees	8,378.00
U Of I: State Hygienic Lab	Water - Testing	24.00
UPS	Sewer - Shipping	71.90
Upstart	Library - Supplies	15.90
US Bank Equipment Finance	Library - Copier Contract	76.32
Veenstra & Kimm Inc.	Sewer/Streets/Legal/P&Z - Engineering	14,107.36
Wageworks	Flex – HCFSA 2014 Payment	5.00
Walmart	Library - Supplies	330.13
West Branch Firefighters	Fire-Payroll Dues 6/13 - 5/14	31,720.00
West Branch Repairs	Streets/Fire - Service	2,736.70
West Branch Times	Legal - Publications	1,882.63
WEX Bank	Police - Fuel	519.28
Windstar Lines	Park&Rec - Deposit For Bus Trip	100.00
Wood Products Of Iowa	Streets - Grind Brush Pile	9,146.00

	Grand Total	268,018.52
Fund Totals		
001 General Fund		152,691.78
022 Civic Center		585.61
031 Library		10,389.07
036 Tort Liability		11,907.00
110 Road Use Tax		49,850.41
112 Trust And Agency		1,472.58
226 Go Debt Service		8,364.57
600 Water Fund		14,508.82
610 Sewer Fund		18,243.68
950 BC/BS Flexible Benefit		5.00
Grand Total		268,018.52

**COMMUNICATIONS/OPEN FORUM**

No comments were made during the communications/open forum portion of the meeting.

**PUBLIC HEARING/NON-CONSENT AGENDA**

Mayor Mark Worrell-Recognition of Main Street Antiques & Art.

Worrell noted that Main Street Antiques & Art owner Lou Picek could not be in attendance and would be contacted to be recognized at future meeting.

Accept the resignation of Reserve Officer Todd Thurman from the West Branch Police Department.

Motion by Shields to approve the resignation of Todd Thurman, second by Pierce. AYES: Shields, Pierce, Miller, Stevenson. NAYS: None. ABSENT: Ellyson. Motion carried.

Mayor Mark Worrell – Recognition of Reserve Officer Todd Thurman.

Worrell acknowledged Horihan who recognized Thurman for four years of exemplary service as a reserve officer. Horihan also noted that Thurman was the lead contact for the Department’s drug disposal programs and also provided assistance for the Department during Hoover’s Hometown Days.

Third Reading of Ordinance 724, amending Title Chapter 69 “Parking Regulations.”

Motion by Stevenson to approve Ordinance 724, second by Miller. AYES: Stevenson, Miller, Pierce, Shields. NAYS: None. ABSENT: Ellyson. Motion carried.

**ORDINANCE NO. 724**

AN ORDINANCE AMENDING TITLE CHAPTER 69 “PARKING REGULATONS”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 69 “PARKING REGULATIONS” of the Code of West Branch, Iowa is hereby amended by adding the following subsection, Section 69.08.66:

**69.08 - NO PARKING ZONES**

66. The north side of Greenview Drive beginning at the east property line of 5 Greenview Drive and extending west 320 feet.

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 21st day of July, 2014.

First Reading: June 2, 2014

Second Reading: June 23, 2014

Third Reading: July 21, 2014

\_\_\_\_\_  
Mark Worrell, Mayor

Attest:

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Matt Muckler, City Administrator/Clerk

Resolution 1215, directing the city administrator to send a letter to certain Pedersen Valley Part IV residents on stormwater issues.

Brian Driscoll, 701 W Orange Street, asked Worrell to recuse himself from the discussion. Driscoll also asked about the minimum low openings. Kirsten Nelson, 703 W Orange Street, asked who is responsible for maintaining the storm drains in the area and how it would be addressed. Nelson also asked about areas being clear of vegetation. Angie Cochran, 801 W Orange Street, asked who is responsible for silts fences, and who monitors their locations after a lot has been developed. Shields asked about the restrictive covenants for the development, and Olson clarified the portion of the covenants that addressed stormwater and natural drainage ways. Muckler noted that it was the City’s responsibility to maintain drains and other stormwater infrastructure within stormwater easements. Muckler noted that the City Council could consider more stringent standards for building permits, such as requiring grading plans for individual lots that might alleviate some of these problems, but would also increase the cost of development. Pierce stated that he did not want residents to have the impression that the City was washing their hands of these issues. Worrell apologized to the public if there was an impression that there was a conflict of interest in this situation, but explained that he had not held the contract with the developer to monitor the National Pollutant Discharge Elimination System (NPDES) Permit since October of last year. Worrell stated that he has a right to make a living in town and that the work he completed on behalf of the developer in question resulted from his company being the low bidder on the project. The Iowa

Department of Natural Resources was noted as the regulatory agency for the developer's NPDES Permit. Schechinger explained how the subdivision was designed for a five-year flood event and how streets become the conveyance system for rains that occur in excess of that design standard. Stevenson noted that it is not possible to plan or design for the severe flash flooding that recently occurred in West Branch. Muckler stated that the City has invested considerable resources in recent storm water initiatives, including taking voluntary membership in the Iowa Stormwater Education Program (ISWEP), sending city staff to ISWEP training and certification courses, paying for Hoover Dam retention facility engineering fees, completing ongoing creek maintenance, and establishing a storm water utility.

Motion by Shields to approve Resolution 1215, second by Stevenson. AYES: Shields, Stevenson, Miller, Pierce. NAYS: None. ABSENT: Ellyson. Motion carried.

Todd Thein – Pedersen Valley Part IV Flooding Issues.

Thein, 701 Sullivan Street, noted that the accountability for specifications should be by code. Thein also mentioned that he faced many issues as his own home was built. Thein closed his comments by offering himself as a volunteer on a future committee which could troubleshoot issues and help improve the process.

Resolution 1216, approving those certain agreements in connection with the Oliphant Street Sidewalk Improvements – Phase 2 Project.

Muckler noted that all thirteen easements had been signed.

Motion by Shields to approve Resolution 1216, second by Stevenson. AYES: Shields, Stevenson, Miller, Pierce. NAYS: None. ABSENT: Ellyson. Motion carried.

Resolution 1217, setting the salary for an employee for the fiscal year 2014-2015.

Horihan noted that Koranda's name was erroneously omitted from a previous resolution. Koranda, a part time officer for the City, has been able to cover some weekend shifts for the Department.

Motion by Pierce to approve Resolution 1217, second by Shields. AYES: Pierce, Shields, Miller, Stevenson. NAYS: None. ABSENT: Ellyson. Motion carried.

Resolution 1218, approving consulting services agreement with Elert & Associates for an emergency communications feasibility study in an amount not to exceed \$8,600.

Horihan noted that the Police and Fire Departments are in need of having an effective and reliable communication system for emergency services. He also noted that the purpose of the study is to analyze and assess the needs based on calls for service and providing an efficient radio system for both Departments.

Motion by Pierce to approve Resolution 1218, second by Shields. AYES: Pierce, Shields, Miller, Stevenson. NAYS: None. ABSENT: Ellyson. Motion carried.

Resolution 1220, adopting the *Strategic Plan for Park & Rec Capital Improvements: West Branch, IA.*

Motion by Shields to approve Resolution 1220, second by Pierce. AYES: Shields, Pierce, Miller, Stevenson. NAYS: None. ABSENT: Ellyson. Motion carried.

**CITY STAFF REPORTS**

City Engineer Dave Schechinger-Lift Station, Wastewater Lagoons, and other Flooding Issues around West Branch.

Schechinger shared photos with Council regarding the recent flooding and its impact on City infrastructure. Stevenson noted the flooding impact at the Police Department. Stevenson also asked if a hydrologic study could be done, which could help provide better structures for future events.

City Attorney Kevin Olson-ballot language for the November 4, 2014 ballot to support the initial phase of city park improvements.

Olson noted that he is working with bond counsel to develop appropriate ballot language to be presented to Council for their consideration at a future meeting regarding the November 4, 2014 city park improvements vote.

Public Works Director Matt Goodale-Seal coat estimate.

Goodale noted that the annual seal coat quote came in higher than expected due to the rough winter. The Council had budgeted \$37,000.00 towards seal coat work in Greenview and the Cemetery that Goodale suggested may have to wait until the next fiscal year. Council asked Goodale to provide options at the next Council Meeting.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

Miller asked about the condition of Second Street and the Cookson Subdivision. Shields asked about a snow fence on Scott Drive. Worrell reminded everyone of the upcoming Hoover's Hometown Days on August 1-2, 2014.

**ADJOURNMENT**

Motion by Shields to adjourn the city council meeting, second by Pierce. Motion carried on a voice vote. City Council meeting adjourned at 8:52 p.m.

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Mark Worrell, Mayor

ATTEST: \_\_\_\_\_  
Matt Muckler, City Administrator/Clerk