

*(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**

**September 16, 2013  
7:00 p.m.**

Mayor Worrell opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, City Administrative Assistant Shanelle Peden, Library Director Nick Shimmin, Police Chief Mike Horihan, and Public Works Director Matt Goodale. Council members: Jordan Ellyson, Colton Miller, Jim Oaks, Mary Beth Stevenson, and Dick Stoolman.

**APPROVE AGENDA/CONSENT AGENDA**

- a. Approve minutes from the September 3, 2013 City Council Work Session.
- b. Approve minutes from the September 3, 2013 City Council Meeting.
- c. Approve claims.

Motion by Ellyson to approve, second by Stevenson. AYES: Ellyson, Stevenson, Miller, Oaks, Stoolman. NAYS: None. Motion carried.

Date 9-16-13	City of West Branch Claims Register Report	
Aero Rental	Fire - Rescue Blade	185.00
Aerosaw Inc	Sewer - Service	250.00
Alert-All Corp	Fire - Supplies	705.00
Alliant Energy	Various Depts. - Utilities	16,213.34
Amazon	Library - Supplies	394.87
AmSan	Town Hall - Supplies	137.21
Apparel 1 Screen Printing	Park & Rec - Volleyball Shirts	537.50
Baker & Taylor Inc.	Library - Books	935.25
Barron Motor Supply	Fire/Streets	520.61
BDC-Building Inspection & Beeler, Patti	Admin- Building Inspections	1,016.40
Blue Cross/Blue Shield	Park&Rec - Li Trip Refund	55.00
Booklist	Insurance	8,096.05
BP Amoco	Library - Subscription	147.50
Brown Traffic Products	Police/Fire/Water - Fuel	1,634.50
Business Radio Sales	Police/Streets - Light Poles	1,090.00
Cedar County Cooperative	Fire - Service	240.36
Cedar County Recorder	Fire - Diesel Fuel	1,729.60
Cedar Rapids Photo Copy	Legal - Document Recording	27.00
CLIA Laboratory Program	Library - Service	96.70
Community State Bank	Fire - CLIA Lab User Fees	150.00
Croell Redi-Mix Inc	Fire Dept Expansion Loan Pmt	8,364.57
Culligan Water	Water/Sewer - Projects	8,517.50
Cy's Tree Service	Fire - Water Cond Rental	33.70
Dearborn Insurance	Streets - Tree Trimming	5,320.00
Demco	Life Insurance	48.95
Deweys Jack & Jill	Library - Supplies	38.75
Diamond Vogel Paints	Park&Rec/Sewer - Supplies	430.30
	Streets - Cable	31.90

Dorsey & Whitney Llp	2013 Land Acq Loan Agreement	2,987.00
Ed.M.Feld Equipment	Fire - Supplies	489.00
EFTPS	Federal Withholdings	12,009.96
EMSLRC	Police - CPR Cards	21.00
F&B Communications Inc	Admin - Computer Supplies	402.93
Fiderlein, Debra	Park & Rec - Exercise Classes	300.00
Greatamerica Leasing Corp	Admin - Copier Lease	252.06
Herb N Lou's	Park & Rec - Supplies	238.00
Horihan, Mike	Police - Reimbursement	51.69
Hy-Vee	Park & Rec - Supplies	109.83
IAWEA	Sewer - Training Class	310.00
ICAD Group	Econ Dev - Conf Mtg	80.00
Iowa Assn. Mun. Utilities	Water/Streets/Sewer - Dues/Trng	983.10
Iowa City/County Management	Admin - Fy14 Membership Dues	120.00
Iowa Dept Of Revenue	Payroll Expense	460.06
Iowa Park And Rec Assoc.	Park & Rec - Training & Fy14 Dues	270.00
Iowa Rural Water Assoc.	Water/Sewer - Training Conf	260.00
Ipers	Ipers	3,942.89
John Deere Financial	Streets/Sewer/Water - Supplies	450.09
Johnson County Refuse Inc.	Recycling - August 2013	3,676.50
Kevin D Olson	Legal Services For Sept 2013	1,500.00
Lease Consultants Corp	Library - Copier Contract	59.00
Lenoch & Cilek	Park & Rec - Supplies	11.99
Liberty Communications	Various Depts - Phone Service	1,085.42
Linn County R.E.C.	Streets - Utilities	73.33
Lowes	Comm & Cult - Pop Up Tent	92.15
Lynch's Excavating Inc	Water/Sewer - Projects	47,848.52
Main Street West Branch	Economic Dev - Fy14 Pledge	18,500.00
Matt Parrott	Admin - Laser Checks	251.71
Mediacom	Admin - Service	40.90
Menards	Sewer - Supplies	438.54
Midwest Janitorial Service	Lib/TH/Admin/Police - Cleaning	646.56
Moore's Welding	Sewer - Supplies	34.50
Municipal Pipe Tool	Sewer - Jet Cleaning Sewer	5,263.08
Oasis Electric	Library/Comm& Cult -Service	2,739.98
Overdrive	Library - Ebooks	221.25
Parkside Service	Fire/Police - Shop Supplies & Service	754.31
Payroll Expense	Payroll Expense 9-13-13	24,945.16
Pierce, Shawn	Park & Rec - Exercise Classes	300.00
Pitney Bowes	Library/Admin/Water/Sewer - Postage	1,000.00
Play It Again Sports	Park & Rec - Supplies	207.02
Plunkett's Pest Control In	Admin/Town Hall - Service	91.52
Poock, Grant	Water - Utility Refund	100.00
Port 'O' Jonny Inc.	Park & Rec/Cemetery - Service	166.00
Quality Engraved Signs	Fire - Supplies	11.00
Quill Corp	Library/Police/Admin - Supplies	1,160.36
Schimberg	Sewer - Supplies	666.24
Shanelle M Peden	Admin - Supplies	7.95
Shimmin, Nick	Library - Reimbursement	346.18
SimplexGrinnell	Library - Service	410.50
Springdale Agency	Fire -Fy14 Fire Pack Insurance	12,787.00
Sprint	Police - Service	179.97
State Library Of Iowa	Library - Fy14 Ebsco Sub Fees	141.10

TAC 10 Inc	Police - Service	125.00
The Gazette	Library - Subscription	236.95
The Iowa Children's Museum	Park & Rec - Ed Program	166.76
Thomas Heating & Air	Fire - Service	160.00
Treasurer State Of Iowa	Iowa Sales Tax Pmt-August 2013	3,182.45
Treasurer State Of Iowa	State Withholding Tax	1,153.00
TruGreen Processing Center	Park & Rec - Service	365.00
Uniform Den Inc.	Police - Uniforms	1,504.94
U Of I: State Hygienic Lab	Water - Testing	448.00
UPS	Sewer - Shipping	97.36
US Cellular	Fire - Phone Service	30.26
USA Blue Book	Water - Supplies	248.11
Veenstra & Kimm Inc.	Streets/Water/Sewer -Engineering Projects	16,514.12
Wageworks	Flex Contributions	569.40
Walmart	Library - Supplies	179.16
West Branch Animal Clinic	Animal Control - Stray Dogs/Cats	671.00
WEX Bank	Police - Fuel	610.26
Wood Products Of Iowa	Streets - Grind Brush Pile	5,665.00
Yeggy, Jodi	Park & Rec - Exercise Classes	300.00
Zephyr Copies & Design	Comm & Cult - Supplies	45.50
	Total	238,715.18

Fund Totals	
001 General Fund	83,083.06
022 Civic Center	953.79
031 Library	10,577.71
036 Tort Liability	12,787.00
110 Road Use Tax	12,014.44
112 Trust And Agency	10,764.89
226 Go Debt Service	8,364.57
600 Water Fund	50,103.47
610 Sewer Fund	49,496.85
950 BC/BS Flexible Benefit	569.40
Grand Total	238,715.18

## COMMUNICATIONS/OPEN FORUM

Councilperson Stoolman asked the status of the natural gas line at the Cookson Subdivision site. Muckler commented that the gas line will be installed in conjunction with the Cookson Subdivision project.

## PUBLIC HEARINGS/NON-CONSENT AGENDA

### Mayor Mark Worrell-Recognition of Barnhart's Custom Services

Mayor Mark Worrell recognized Bruce and Shelly Barnhart of Barnhart's Custom Services for their thirty one years of presence in the community and dedication to the City of West Branch.

### Mayor Mark Worrell-Appointments/Reappointments/Move to Action.-Liz Seydel-Park & Recreation Commission, June 30, 2015.

Motion by Miller to approve Liz Seydel to the Parks & Recreation Commission, second by Ellyson. AYES: Miller, Ellyson, Oaks, Stevenson, Stoolman. NAYS: None. Motion carried.

### Mackenzie Krob-Main Street West Branch Update

Main Street West Branch Director Mackenzie Krob indicated that representatives from Main Street Iowa organization visited with City Administrator Muckler and Mayor Worrell last week. Krob remarked that a Challenge Grant is available to Main Street only communities. The local office will receive applications until September. Mayor Worrell complimented Mackenzie for her efforts and remarked that he was asked and would oblige to join the Main Street Board of Directors. Krob also let the Council know that the dates for Christmas Past are set for December 6-7, 2013. Councilperson Ellyson remarked that she was glad to see the dates for Christmas Past do not conflict with the Thanksgiving holiday.

### Approve Class C Liquor License with Sunday Sales for Agaves Inc. DBA Agaves for the dining room only, not to include the banquet and reservation area./Move to Action.

Councilperson Oaks asked why the approval only included specific portions of the location. Councilperson Miller asked about a door that divides the area between the dining and banquet and reservation area, and if it could be used as alternate exit for Main Street Sweets. City Administrator Muckler commented that Robert Champagne sold to building to the Juan Martinez family of Iowa City. Muckler also indicated that he reached out to them to discuss the building and issues regarding the property. Councilperson Oaks asked who requested the door and its placement. City Administrator Muckler responded that former Mayor Kessler had asked for it and that it would serve as an alternate fire exit. Councilperson Oaks asked if the permit was granted, what recourse the Council would have for enforcement. Councilperson Ellyson remarked that she felt it was inappropriate to penalize the new property owners for poor past performance. Councilperson Stevenson asked that a clear understanding be established for them. City Administrator Muckler remarked that the Alcoholic Beverages Division does offer an appeal process for liquor licensing.

Motion by Stevenson to postpone indefinitely the Approval of Class C Liquor License with Sunday Sales for Agaves, second by Ellyson. AYES: Stevenson, Ellyson, Miller, Oaks, Stoolman. NAYS: None. Motion carried.

### Third Reading of Ordinance 716, amending the West Branch Code, specifically incorporating Chapter 103, Creating an Illicit Discharge and Sediment Control Ordinance/Move to Action.

Motion by Stoolman to approve Third Reading of Ordinance 716, second by Miller. AYES: Stoolman, Miller, Ellyson, Oaks, and Stevenson. NAYS: None. Motion carried.

### Resolution 1142, approving the Street Finance Report for FY13./Move to Action.

Motion by Miller to approve Resolution 1142, second by Ellyson. AYES: Miller, Ellyson, Oaks, Stevenson, Stoolman. NAYS: None. Motion carried.

### Resolution 1143, setting a public hearing and a date for consultation with affected taxing entities for the proposed Amended and Restated West branch Urban Renewal Plan./Move to Action.

Olson said that the amendment to the Plan is in response to updated legislation; this particular Plan removes a section of Scott Drive from the urban renewal area. Ongoing projects are included in the revisions and bond council asks for yearly review of these items. Updating this Plan allows the City to use TIF funding for specified projects. Olson also said that this is important for listing on the Annual Report to State of Iowa. In order to allow for at least seven days for responses, Olson indicated that by setting the public hearing for October 21, this will allow for adequate response time of a minimum of seven days from the initial consultation.

Motion by Stevenson to approve Resolution 1143, second by Ellyson. AYES: Stevenson, Ellyson, Miller, Oaks, Stoolman. NAYS: None. Motion carried.

## **CITY STAFF REPORTS**

Councilperson Stoolman asked for an update regarding the Casey's Site Plan. City Administrator Muckler indicated that he spoke with Planning & Zoning Commission Chair Roger Laughlin and that Pelds Engineering would need more time to present their information prior to the regularly scheduled September 24 meeting. Muckler stated that the next possible time the Commission would meet could be on October 1. Muckler also stated that he also contacted Casey's direct regarding real estate purchase and is waiting to hear back from them.

Mayor Worrell asked what the patching process for sealcoating is currently. Public Works Director Matt Goodale responded that the plan is to sealcoat portions of Second, Fourth, College, and Orange Streets. Councilperson Stoolman asked about a repair to the sewer infrastructure lines north of the Cargill property. City Administrator Muckler responded that this was not budgeted for in this fiscal year.

Councilperson Stoolman also asked about a repair to the road on Main Street. Public Works Director Goodale responded that he was aware of it.

## **COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

### **ADJOURNMENT**

Motion by Miller to adjourn the meeting, second by Ellyson. Motion carried on a voice vote. City Council meeting was adjourned at 7:42 p.m.