

(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

**October 1, 2012
7:00 p.m.**

Mayor Don Kessler opened the West Branch City Council meeting by welcoming the audience and the following City staff: City Administrator Matt Muckler, City Attorney Kevin Olson, Public Works Director Matt Goodale, Police Chief Mike Horihan, Fire Chief Administrator Dick Stoolman, and Library Director Nick Shimmin.

Council members: Mark Worrell, Jordan Ellyson, Colton Miller, and Dan O'Neil. Absent: Jim Oaks.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the September 17, 2012 City Council Meeting.
- b) Approve claims.

Motion by O'Neil to amend the agenda to remove item 9 from the agenda, second by Ellyson. AYES: O'Neil, Ellyson, Worrell and Miller. Absent: Oaks. Motion carried.

Motion by O'Neil, to approve the consent agenda/consent agenda as amended, second by Miller. AYES: O'Neil, Miller, Worrell and Ellyson. Absent: Oaks. Motion carried.

Date 10-1-12	City Of West Branch	
Claims Register Report		
Blue Cross Blue Shield	Health/Dental/Life Insurance	8,525.26
Bogey Creek Inc.	ABD License Refund	463.13
Cook, Cole	Park & Rec - Flag Football Ref	40.00
Eftps	Federal Withholdings	6,912.04
Gould, Danielle	Park & Rec - Flag Football Ref	40.00
Hohman, Andrea	Utility Refund	32.12
Hy-Vee Accounts Receivable	Park & Rec - Supplies	193.51
Ipers	Ipers	3,456.71
John Deere Financial	Sewer - Supplies	200.98
Lamont, Lucas	Park & Rec - Flag Football Ref	40.00
Menards	Streets - Wht Striping Spray	16.41
Payroll Expense 9-28-12	Payroll 9-28-12	30,405.71
Pitney Bowes Global Finance	Admin - Lease Contract	444.03
Shree Bachubhai - PI Lounge	ABD License Refund	390.00
Treasurer State Of Iowa	State Withholding Tax	1,393.00
UPS	Sewer - Shipping	48.68
Walter, Drew	Park & Rec - Flag Football Ref	40.00
Wellmark BC/BS	Flex	<u>513.33</u>
Grand Total		53,154.91

Fund Totals	
001 General Fund	29,264.08
031 Library	4295.4
110 Road Use Tax	800.05
112 Trust And Agency	9,452.40
600 Water Fund	4,562.73
610 Sewer Fund	<u>4,780.25</u>
Grand Total	53,154.91

COMMUNICATIONS/OPEN FORUM

Worrell asked about the ownership of land on the Middle School Access Road. Muckler reported that the City owns the northern portion of the project and the School District owns the southern portion of the project and the two entities entered into a 28E Agreement to share costs on the project.

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

First reading of Ordinance 701, amending Chapter 65 "Stop or Yield Required."/Move to action. Motion by O'Neil, second by Miller to approve First Reading of Ordinance 701. AYES: O'Neil, Miller, Worrell and Ellyson. Absent: Oaks. Motion carried.

Third reading of Ordinance 702, amending Chapter 69 "Parking Regulations" by adding a one-way street to section 69.09./Move to action.

Motion by O'Neil, second by Ellyson to approve Third Reading of Ordinance 702. AYES: O'Neil, Ellyson, Worrell and Miller. Absent: Oaks. Motion carried.

ORDINANCE NO. 702

AN ORDINANCE AMENDING CHAPTER 69 "PARKING REGULATIONS" BY ADDING A ONE-WAY STREET TO SECTION 69.09.

WHEREAS, the West Branch Community School District has requested that the Council consider designating the two entrances to West Branch Middle School as one-way traffic; and

WHEREAS, the West Branch City Council would like to provide for the safety of parents and students on their way to and from West Branch Middle School; and

WHEREAS, the West Branch City Council is currently considering an ordinance that would designate the two entrances to West Branch Middle School as one-way streets; and

WHEREAS, adequate space would be available for parallel parking on the one-way street into the Middle School near the water tower; and

WHEREAS, the West Branch City Council would like to have this parking reserved for events at the West Branch Middle School.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of West Branch, Cedar County, Iowa:

Section 1. Amendment. The Code of Ordinances is hereby amended by adding the following to Section 69.09:

6. The driveway area from West Orange Street near the water tower south into the West Branch Middle School parking lot.

Section 2. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Adjudication. 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

Passed and approved this 1st day of October, 2012.

First Reading: September 4, 2012

Second Reading: September 17, 2012

Third Reading: October 1, 2012

Don Kessler, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

Second reading of Ordinance 703, amending Chapter 91 "Water Meters."/Move to action.

Motion by O'Neil, second by Ellyson to approve Second Reading of Ordinance 703. AYES: O'Neil, Ellyson, Worrell and Miller. Absent: Oaks. Motion carried.

Second reading of Ordinance 704, amending Chapter 63 "Speed Regulations."/Move to action.

Motion by O'Neil, second by Miller to approve Second Reading of Ordinance 704. AYES: O'Neil, Miller, Worrell and Ellyson. Absent: Oaks. Motion carried.

Motion to amend Resolution 1036, to exclude the Gaskill Easement.

Muckler recommended to the Council that the permanent access agreement be removed from the easement paperwork and considered at a later date. Worrell expressed concern with moving forward with the easement without this agreement. Muckler stated that he would like to negotiate this agreement after the easement is signed.

Motion by Worrell, second by O'Neil to amend Resolution 1036 to exclude the Gaskill Easement. AYES: Worrell, O'Neil, Miller and Ellyson. Absent: Oaks. Motion carried.

Resolution 1036, approving that certain agreement in connection with the Lift Station and Force Main Improvements 2011 Project./Move to action.

Olson described the process by which the reimbursement amount for Rummells Farms, Inc. was calculated.

Motion by Worrell, second by Miller to approve Resolution 1036 as amended. AYES: Worrell, Miller, Ellyson and O'Neil. Absent: Oaks. Motion carried.

Resolution 1037, approving service agreement with Kid Again Inflatable Fun Shows in connection with the 2013 Hoover's Hometown Days Celebration in the amount of \$9,500./Move to action.

Worrell felt that it would be financially irresponsible of the City to pay a deposit for these services. Muckler stated that he would go back to the company to seek out a reduced deposit amount.

Motion by Worrell, second by O'Neil to postpone consideration of Resolution 1037 until the October 15, 2012 Council Meeting. AYES: Worrell, O'Neil, Ellyson and Miller. Absent: Oaks. Motion carried.

Resolution 1038, approving a contract with the United States Department of Interior National Park Service and the City of West Branch Iowa regarding snow removal./Move to action.

Worrell asked about the contract amount. Muckler stated that it was \$6,000.

Motion by Ellyson, second by O'Neil to approve Resolution 1038. AYES: O'Neil, Ellyson, Worrell and Miller. Absent: Oaks. Motion carried.

Councilperson Jordan Ellyson - Appointments/Reappointments/Move to action.

- i. Jim Huber – Board of Adjustment, December 31, 2016
- ii. Craig Walker – Board of Adjustment, December 31, 2015

Motion by Ellyson, second by Worrell to approve appointments/reappointments. AYES: Ellyson, Worrell, Miller and O'Neil. Absent: Oaks. Motion carried.

CITY STAFF REPORTS

City Administrator Matt Muckler – Administrative Assistant Recruitment

Muckler reported that the City received 57 applications for the position and that recruitment activities would continue in the coming weeks. A recommendation is scheduled to be brought before Council on October 15th.

Library Director Nick Shimmin – Update on Site Selection Process

Shimmin reported that the Library Board selected FEH Associates for consulting services based on their strategy to include as much community interaction as possible and to look at all of the City's options in terms of site selection.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Councilperson Dan O'Neil – Cookson Property Sealed Bids

O'Neil stated that one of the bids was incomplete. Olson stated that the sealed bid process would not require the same minimum standards as a public construction project. Miller stated that we would not be holding the developer to the illustration they provided as part of the sealed bid process. O'Neil spoke to Blue Sky about demolition costs. Blue Sky estimated these costs at \$40,000 and would cover that cost up front in exchange for waiving that amount in fees. Worrell stated that he felt that such an arrangement was not appropriate and opposed any changes to proposals as originally submitted. Olson stated that conditions could be placed on a development agreement. O'Neil presented an analysis of potential future property tax revenues. O'Neil asked Muckler to speak with both developers and bring back development agreements for the Council to consider at the November 5th Meeting. Kessler asked that the agreements reflect the proposals received by each developer as part of the sealed bid process. Ellyson stated that she felt the Blue Sky proposal was more responsive than the Lynch proposal.

ADJOURNMENT

Motion to adjourn meeting by Worrell, second by O'Neil. City Council meeting adjourned at 8:04 p.m.

Don Kessler, Mayor

ATTEST: _____
Matt Muckler, City Clerk