

(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

**November 19, 2012
6:30 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, Library Director Nick Shimmin, Police Chief Mike Horihan, Police Sergeant Kory Hanna, Fire Chief Administrator Dick Stoolman, Deputy City Clerk Dawn Brandt, Administrative Assistant Jennifer Harden and City Engineer Dave Schechinger.

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

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the November 5, 2012 City Council Meeting.
- b) Approve claims.

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

Date 11-19-12	City of West Branch	
	Claims Register Report	
Alliant Energy	Various Depts. - Utilities	6,458.23
Amazon	Library - Supplies	369.99
Baker & Taylor Inc.	Library - Books	1,466.08
Barron Motor Supply	Streets/Cemetery - Supplies	140.16
BDC Building Inspection	Admin - Building Inspections	235.20
Beeler, Patti	P&R - Refund For No School Day	35.00
Blue Cross Blue Shield	Insurance	993.35
Boelk, Amy	P&R - Refund For No School Day	105.00
Bound Tree Medical	Fire - Supplies	157.00
BP Amoco	Fire/Police/Sewer/Cem-Fuel	2,499.67
Bryant, Jim	Water - Utility Refund	59.47
Business Radio Sales	Fire - Supplies	74.00
Cedar County EMS	Fire - FY13 Dues	100.00
Cedar County Recorder	Legal - Recording Fees	109.00
Cedar Rapids Photo Copy	Library - Service	98.51
Chris Jones Trucking	Streets - Hauling Roadstone	313.70
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57
Complete Property Maint.	Streets - Oliphant Sidewalk	9,994.40
Cox Manufacturing Company	Sewer - Delivery Of Bio-Dome	800.00
Creative Software Services	Admin - Computer Consulting	305.18
Croell Redi-Mix Inc	Streets - Gazebo Project	266.00
Crown Awards	Park & Rec - Halloween Supplies	84.01
Culligan Water	Fire - Water Cond. Rental	36.90
Davis Farm Equipment	Sewer/Cemetery - Service	437.14
Deweys Jack & Jill	Lib/P&R/Sewer - Supplies	100.71
Duwa, Mitch	Water - Utility Refund	36.75
Edwards, Mackenzie	P&R - Refund For No School Day	70.00
Eftps	Federal Withholdings	4,465.61
Emergency Services Marketing	Fire - Emer Resp Syst Sub Fee	725.00
Farm & Home Publishers	Library - Book	40.30
Frantz, Tim	P&R - Refund For No School Day	35.00
Galls	Police - Supplies	121.60

George Lawson Consulting	Library - Site Sel Consulting	2,520.00
Goodale, Matthew	Streets-Reimb For Metal Nozzle	10.58
Great America Leasing Corp	Admin - Copier Contract	252.06
Hanna, John	Police-Reimb For Training Supp	17.13
Heiman Fire Equipment	Fire - Supplies	314.83
Horihan, Mike	Police - Reimb For Supplies	43.37
Huntzman Enterprises	Police - Pd Patches	308.00
Iowa City Press-Citizen	Library - Subscription	13.22
Iowa City Scheels	Police - Equipment	494.97
Iowa DNR	Sewer - Const Permit Fee	100.00
Iowa Law Enforcement Academy	Police - Testing	50.00
Iowa League Of Cities	Admin - Budget Workshop Fee	60.00
Iowa Network Services Inc	Admin - Website Hosting	26.99
Iowa One Call	Water/Sewer - Service	29.70
Ipers	Ipers	3,394.58
Johnson County Ambulance	Fire - Defib Pads	50.00
Johnson County Refuse Inc.	Recycling - October	3,619.50
Knoche, Rebecca	Library - Reimbursement	104.75
L. L. Pelling Co. Inc	Streets-Main St Proj. retainage	524.51
Lease Consultants Corp	Library - Copier Lease	59.00
Leweerenz, Kelly	Water - Utility Refund	15.25
Liberty Communications	Various Depts - Phone Service	1,129.48
Linn County R.E.C.	Streets - Utilities	102.00
Matt Parrott	Admin - Office supplies	330.41
Menards	Streets/water - Supplies	442.20
Midwest Janitorial Service	Lib/Admin/Th/Police - Cleaning	637.00
Municipal Supply Inc.	Water - Supplies	657.80
Nauman Sod Farms	Streets - Sod For Projects	1,420.00
Office Depot Credit Plan	Water - Office Supplies	75.98
Olson, Kevin D.	Legal Services For November	1,500.00
Overdrive Inc	Library - E-books	316.90
Parkside Service	Cemetery - Service	290.50
Payroll Expense 11-9-12	Payroll 11-9-12	22,724.79
Peden, Shanelle M.	Cable - Videotaping	150.00
Pitney Bowes	Library - Postage	500.00
Plunkett's Pest Control	Admin - Service	45.76
Port 'O' Jonny Inc.	Cemetery - Service	83.00
Qc Analytical Services Llc	Sewer - Testing	690.00
Quill Corp	Various Depts.- Office Supplies	777.31
River Products Company Inc	Streets - Roadstone	417.84
Russell, Melissa	P&R - Reimb for supplies	164.31
Schmidt, Jenny	P&R - Refund For No School Day	60.00
Sensus USA	Water - Sensus Support	1,732.50
Sexton, Julie	P&R - Refund For No School Day	35.00
Shanahan, Christine	P&R - Refund For No School Day	30.00
Shimmin, Nick	Library - Reimbursement	488.96
Sprint	Police - Service	179.97
St. Paul Stamp Works Inc.	Animal Control - Animal Tags	108.41
State Hygienic Lab	Water - Testing	40.00
Thein Motor Sales	Police - Service Charger	80.00
Toynes Ia. Fire Trk.Serv	Fire - Supplies & service	1,121.64
Treasurer State Of Iowa	State W/H Tax	892.00
Uniform Den Inc.	Police - Uniforms	406.67
UPS	Sewer - Shipping	180.21
US Cellular	Various Depts - Phone Service	554.30
USA Today	Library - Subscription	213.20
Veenstra & Kimm Inc.	Engineering	2,350.30
Walmart	Library - Supplies	396.46

Water Solutions	Water - Blended Phosphate	2,442.00
Wellmark BC/BS	Flex	513.33
West Branch Comm. Schools	Park&Rec - Youth Bball Hoops	1,078.00
West Branch Repairs	Fire - Radio Batteries & service	2,226.11
West Branch Times	Legal/Animal Cont-Publications	609.79
Wright Express FSC	Police - Fuel	987.37
Zephyr Copies & Design	Fire - Copies	64.25
	Grand Total	100,351.72
Fund Totals		
001 General Fund		53,787.71
022 Civic Center		391.97
031 Library		12,038.24
110 Road Use Tax		3,883.39
112 Trust And Agency		2,843.28
226 Go Debt Service		8,364.57
600 Water Fund		10,962.99
610 Sewer Fund		8,079.57
Grand Total		100,351.72

COMMUNICATIONS/OPEN FORUM

None.

PUBLIC HEARING/NON-CONSENT AGENDA

Shelise Parsley, Executive Director, Cedar County Economic Development Commission (CCEDCO) – CCEDCO Update. Ms Parsley discussed rebranding CCEDCO with a new logo and redesigning their website while maintaining a webpage for each City within Cedar County. Ms. Parsley acknowledged that West Branch was not currently a CCEDCO member and discussed an upcoming meeting with Mayor Kessler, Supervisor Ellerhoff, West Branch Main Street Director Mackenzie Krob and City Administrator Matt Muckler.

Approve Change Order Request 1 for the Oliphant Street Sidewalk Project for \$1,200 to replace curb and gutter at the northeast corner of Oliphant & Orange and the northeast corner of Oliphant & Northside.

Motion by Ellyson, second by Oaks to approve Change Order Request 1 for the Oliphant Street Sidewalk Project for \$1,200 to replace curb and gutter at the northeast corner of Oliphant & Orange and the northeast corner of Oliphant & Northside.

AYES: Ellyson, Oaks and Miller. Abstain: Worrell. Absent: O’Neil. Motion carried.

Approve Change Order Request 2 for the Oliphant Street Sidewalk Project for \$375 to remove an additional 42 inches of driveway at 411 N. Oliphant Street to avoid two joints located in close proximity.

Motion by Ellyson, second by Oaks to approve Change Order Request 2 for the Oliphant Street Sidewalk Project for \$375 to remove an additional 42 inches of driveway at 411 N. Oliphant Street to avoid two joints located in close proximity.

AYES: Ellyson, Oaks and Miller. Abstain: Worrell. Absent: O’Neil. Motion carried.

Approve Change Order Request 3 for the Oliphant Street Sidewalk Project for \$500 to place additional rock and raise the sidewalk at 417 N. Oliphant Street and 118 Northside Drive.

Motion by Ellyson, second by Oaks to approve Change Order Request 3 for the Oliphant Street Sidewalk Project for \$500 to place additional rock and raise the sidewalk at 417 N. Oliphant Street and 118 Northside Drive.

AYES: Ellyson, Oaks and Miller. Abstain: Worrell. Absent: O'Neil. Motion carried.

Approve Change Order Request 4 for the Oliphant Street Sidewalk Project for \$350 to remove a retaining wall from the public right-of-way near 203 West Orange Street.

Motion by Ellyson, second by Oaks to approve Change Order Request 4 for the Oliphant Street Sidewalk Project for \$350 to remove a retaining wall from the public right-of-way near 203 West Orange Street.

AYES: Ellyson, Oaks and Miller. Abstain: Worrell. Absent: O'Neil. Motion carried.

Approve Change Order Request 5 for the Oliphant Street Sidewalk Project for \$500 for additional grading at 118 Northside Drive in order to avoid the need for the installation of a retaining wall.

Motion by Ellyson, second by Oaks to approve Change Order Request 5 for the Oliphant Street Sidewalk Project for \$500 for additional grading at 118 Northside Drive in order to avoid the need for the installation of a retaining wall.

AYES: Ellyson, Oaks and Miller. Abstain: Worrell. Absent: O'Neil. Motion carried.

Approve Change Order Request 6 for the Oliphant Street Sidewalk Project for \$584.68 for a sewer cleanout cover, fill under sidewalk and installation of a tube under the sidewalk at 411 N. Oliphant Street.

Motion by Ellyson, second by Oaks to approve Change Order Request 6 for the Oliphant Street Sidewalk Project for \$584.68 for a sewer cleanout cover, fill under sidewalk and installation of a tube under the sidewalk at 411 N. Oliphant Street.

AYES: Ellyson, Oaks and Miller. Abstain: Worrell. Absent: O'Neil. Motion carried.

Second reading of Ordinance 701, amending Chapter 65 "Stop or Yield Required." / Move to action. Worrell stated that he is in favor of designating a crossing on Main Street for kids to cross at, but felt that it was not a good idea to add stop signs simply to control speed. He asked for the speed trailer to be used in this area. Horihan responded that the speed trailer would be placed in this area after it is repaired. Oaks stated that there have not been any safety problems at that intersection for thirty years. Ellyson stated that a school zone should be established in this area.

Motion by Ellyson, second by Worrell to approve the Second Reading of Ordinance 701, amending Chapter 65 "Stop or Yield Required." AYES: Ellyson, Worrell and Miller. NAYES: Oaks. Absent: O'Neil. Motion carried.

Public Hearing on the intent to dispose of an interest in real property to Katharine Gaskill. Mayor Kessler opened the public hearing at 6:57 p.m. There were no public comments. Mayor Kessler closed the public hearing at 6:58 p.m.

Resolution 1047, directing the Mayor and City Clerk to execute a quit claim deed of a 0.03 acre tract to Katharine Gaskill. / Move to action.

Motion by Worrell, second by Miller to approve Resolution 1047, directing the Mayor and City Clerk to execute a quit claim deed of a 0.03 acre tract to Katharine Gaskill. AYES: Worrell, Miller, Ellyson and Oaks. Absent: O'Neil. Motion carried.

City Engineer Dave Schechinger – Report on Terracon Geotechnical Engineering Report on the Lift Station and Update on Plans & Specifications. Schechinger reported that the soils at the lift

station site were found to be poor and would not support the fill that was proposed for the project. After exploring various options, Schechinger's recommendation is to keep the remaining footprint but lower the amount of fill in the project area.

Public Hearing on the plans, specifications, estimate of cost and form of contract; setting a date for letting and directing published notice of the same; all for the Lift Station Project, West Branch, Iowa. Mayor Kessler opened the public hearing at 7:14 p.m. There were no public comments. Mayor Kessler closed the public hearing at 7:15 p.m.

Resolution 1048, approving the plans, specifications, estimate of cost and form of contract; setting a date for letting and directing published notice of the same; all for the Lift Station Project, West Branch, Iowa./Move to action. Schechinger stated that plans would be sent out to potential contractors on November 20, 2012 and solicited until 2:00 p.m. on December 12, 2012. Oaks asked about the completion date and Schechinger responded that the project was scheduled to be complete by October 1, 2013. The award date would be December 17, 2012 and expected earliest start date was January 10, 2013. The estimated cost was \$895,250 with a low estimate of \$750,475.

Motion by Miller, second by Oaks to approve Resolution 1048, approving the plans, specifications, estimate of cost and form of contract; setting a date for letting and directing published notice of the same; all for the Lift Station Project, West Branch, Iowa. AYES: Miller, Oaks Worrell and Ellyson. Absent: O'Neil. Motion carried.

Resolution 1049, approving the submission of the City of West Branch 2011-2012 Annual Financial Report to the State Auditor's Office./Move to Action. Brandt reported that the AFR was reviewed and approved by our annual auditor.

Motion by Ellyson, second by Worrell to approve Resolution 1049, approving the submission of the City of West Branch 2011-2012 Annual Financial Report to the State Auditor's Office. AYES: Ellyson, Worrell, Miller and Oaks. Absent: O'Neil. Motion carried.

Resolution 1050, approving the submission of the City of West Branch FY 2012 Annual Urban Renewal Report. Muckler stated that this is the first year that this report is required due to recent legislation passed by the Iowa Legislature. It contains information on each TIF taxing district and outstanding TIF obligations. Attachments to the report included resolutions establishing urban renewal plans, urban renewal area maps and TIF ordinances.

Motion by Miller, second by Worrell to approve Resolution 1050, approving the submission of the City of West Branch FY 2012 Annual Urban Renewal Report. AYES: Miller, Worrell, Ellyson and Oaks. Absent: O'Neil. Motion carried.

CITY STAFF REPORTS

City Administrator Matt Muckler – Comp Plan Update. Muckler stated that the November 2012 Comp Plan Update would be discussed at the Planning and Zoning Commission Meeting on November 27, 2012 and that the document was available on the City Website on the Administration Projects page.

Public Works Director Matt Goodale – 1979 Elgin Pelican Street Sweeper Update. Goodale reported that the Street Sweeper was inoperable and recommended against a \$7,000-\$8,000 repair. He recommended that the Council consider the purchase of a used sweeper which could

be paid for in the current and upcoming fiscal year. Oaks suggested the potential to delay the purchase of the skid loader. Worrell suggested looking at a used skid loader and asked that Goodale bring back options for used sweepers.

Library Director Nick Shimmin – Annual Report. Shimmin discussed trends in terms of electronic items for both adults and children. While electronic circulation made up only 2.5% in 2012, the circulation of eBooks more than doubled. The number of program participants more than tripled from 2,101 in 2002 to 6,581 in 2012.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS

Mayor Kessler administered the Oath of Office to Police Officer Alex Koch.

ADJOURNMENT

Motion to adjourn meeting by Worrell, second by Ellyson. Motion carried on a voice vote. Absent: O’Neil. City Council meeting adjourned at 7:54 p.m.

Don Kessler, Mayor

ATTEST: _____
Matt Muckler, City Clerk