

(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 21, 2011
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, Deputy City Clerk Dawn Brandt, Fire Chief Administrator Dick Stoolman, Park and Rec Director Melissa Russell, and Library Director Nick Shimmin. Council members: Mark Worrell, David Johnson, Robert Sexton, Dan O'Neil and Jim Oaks.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the November 7, 2011 City Council Meeting.
- b) Approve claims.
- c) Approve Class C liquor license with Sunday Sales for Agave Mexican Restaurant.

Motion by Johnson, second by O'Neil to approve agenda. AYES: Johnson, O'Neil, Worrell, Sexton, Oaks, Motion carried.

DATE 11/21/2011

CITY OF WEST BRANCH
CLAIMS REGISTER REPORT

ACS FIREHOUSE SOFTWARE	FIRE - FIREHOUSE SOFTWARE	300.00
ACTION SEWER & SEPTIC	STREETS - MAIN STREET	1,838.50
AERO RENTAL	PARK & REC - SUPPLIES	32.40
ALERT-ALL CORP	FIRE -FIRE PREVENTION	740.00
ALLIANT ENERGY	VARIOUS DEPTS - UTILITIES	7,124.58
AMERICAN LIBRARY ASSOC	LIBRARY - SUPPLIES	52.20
AMSAN	SEWER/TH/ADMIN/LIB- SUPPLIES	573.62
BAKER & TAYLOR BOOKS	LIBRARY - BOOKS	1,256.75
BARRON MOTOR SUPPLY	POLICE/CEMETERY - SUPPLIES	612.76
BDC BUILDING PLAN REVIEW	ADMIN - BUILDING INSPECT	199.50
BIG TIMBER EXCAVATING	STREETS - COLLEGE STREET	1,000.00
	STREETS - CLEAN DITCHES	635.00
BP AMOCO	FIRE/POLICE/STREETS/SEWER	1,683.55
CEDAR RAPIDS PHOTO COPY	LIBRARY - SERVICE	46.03
CENTRAL TANK COATINGS	WATER - WATER TOWER REPAIR	78,505.62
CLAUDIA'S FLORAL	COMM & CULT DEV - DECORATIONS	166.00
COLLINS ROAD TIRE INC	POLICE - TIRES FOR DODGE	675.28
COMMUNITY STATE BANK	TORT LIABILITY - LAWSUIT	18,393.02
COMMUNITY STATE BANK	FIRE STATION LOAN PAYMENT	8,364.57
CREATIVE SOFTWARE	ADMIN - COMPUTER CONSULT	63.75
CROELL REDI-MIX INC	STREETS - 109 E MAIN STR	333.50
CROWN AWARDS	PARK & REC - SUPPLIES	109.47
CULLIGAN WATER	FIRE - SERVICE	32.95
DAVE'S WELDING & REPAIR	STREETS - SERVICE OSHKOSH	75.00
DAVIS FARM EQUIPMENT	STREETS - REPAIR OF DX55	1,715.11
DEMCO	LIBRARY - EASELS	76.10
DEWEYS JACK & JILL	WATER/PARK & REC - SUPPLIES	31.34
DUSTY'S PRECISION AUTO	POLICE - TIRES FOR CHARGER	268.16
EAST CENT INTERGOVT ASN.	LEGAL - COMP PLAN	620.50
ECONO SIGNS LLC	STREETS - SIGNS	162.54
FLEET SERVICES	POLICE - FUEL	289.76
FREEMAN LOCK & ALARM	TOWN HALL/ADMIN-REKEY AND KEYS	535.00
FRENCH RENEKER ASSOCIATE	ADMIN - WB FLOOD CONTROL	3,630.00
GEIST, CURT	WATER - CREDIT REFUND	79.10
GREATAMERICA LEASING	ADMIN -COPIER SERVICE	252.06
HARRY'S CUSTOM TROPHIES	PARK & REC - TROPHY	10.00
HAWKEYE AREA CAP	LIBRARY - 20 HOURS FOR	40.00
HAWKINS WATER TREATMENT	WATER - SUPPLIES	1,448.20

HORIHAN, MIKE	POLICE - REIMBURSEMENT	226.72
HY-VEE ACCOUNTS	PARK & REC - SUPPLIES	15.88
ICMA	ADMIN - ICMA MEMBERSHIP	618.00
IOWA CITY PRESS-CITIZEN	LIBRARY - SUBSCRIPTION	78.27
IOWA CITY SCHEELS	PARK & REC - YOUTH BBALLS	354.98
IOWA LAW ENFORCEMENT	POLICE - FIREARMS INST.	150.00
IOWA LEAGUE OF CITIES	ADMIN - MLA TRAINING	195.00
IOWA NETWORK SERVICES	ADMIN - SERVICE	26.99
IOWA ONE CALL	WATER/SEWER - SERVICE	44.10
JOHNSON COUNTY REFUSE	SOLID WASTE - GARBAGE TAGS	1,250.00
	RECYCLING - OCTOBER	3,538.75
KLUESNER CONSTRUCTION	STREETS - CRACK SEALING	15,440.11
L. L. PELLING CO. INC	STREETS - PREMIX	1,333.00
	STREETS - SEALCOAT WORK	5,241.90
	STREETS - NORTH DOWNEY	56,687.67
LEASE CONSULTANTS CORP	LIBRARY - SERVICE CONT	59.00
LENOCH & CILEK	STREETS - SUPPLIES	37.45
LIBERTY COMMUNICATIONS	VARIOUS DEPTS - PHONE	1,087.80
LINN COUNTY R.E.C.	STREETS - UTILITIES	102.00
MAIN STREET WEST BRANCH	COMMUNITY & CULTURAL DEV.	500.00
MAS MODERN MARKETING	POLICE - EVIDENCE BAGS	209.94
MATT PARROTT AND SONS	WATER/SEWER/ADMIN-UTILITY BILLS	500.11
MEDIACOM	ADMIN - SERVICE	69.90
MEDTRONIC EMERGENCY	FIRE - SUPPLIES	354.65
MENARDS	PARK & REC - SUPPLIES	125.10
MIDWEST JANITORIAL	POLICE/LIBRARY/ADMIN/TH	637.00
MOORE'S WELDING INC	STREETS - REPAIR LEAF TRUCK	393.75
MUNICIPAL SUPPLY INC.	WATER - METER FOR HOOVER	2,362.62
NORTHWAY WELL AND PUMP	WATER - REPLACEMENT OF WELL	7,519.05
OASIS ELECTRIC	STREETS - SERVICE STREET	391.74
OFFICE DEPOT CREDIT PLAN	CABLE - SUPPLIES	208.08
OLSON, ATTY KEVIN	LEGAL - LEGAL SERVICES	1,250.00
ORIENTAL TRADING CO. INC	PARK & REC -HALLOWEEN	131.90
PARKSIDE SERVICE	FIRE - TIRES FOR VEHICLE	1,164.42
	STREETS - TIRES FOR CAT	3,347.31
PAYROLL CLAIMS 11-10-11	TOTAL PAYROL	25,416.43
PEDEN, SHANELLE	CABLE - VIDEOTAPING	150.00
PITNEY BOWES	WATER/ADMIN/LIBRARY - POSTAGE	1000.00
PLUNKETT'S PEST CONTROL	ADMIN - SERVICE	45.76
PORT 'O' JONNY INC.	CEMETERY/PARK & REC - SERVICE	240.00
QC ANALYTICAL SERVICES	SEWER - TESTING	1104.00
QUALITY ENGRAVED SIGNS	ADMIN - NAME PLATES	29.25
QUILL CORP	ALL DEPTS. - OFFICE SUPPLIES	437.88
SIMKIN, ATTY DOUGLAS W	POLICE - LEGAL SERVICES	37.50
SLACH CONSTRUCTION	STREETS - 109 E MAIN ST	440.00
	FIRE - DRIVEWAY PROJECT	11,700.00
SPRINT	POLICE - SERVICE	359.94
ST. PAUL STAMP WORKS INC	ANIMAL CONTROL - ANIMAL TAGS	108.41
STATE LIBRARY OF IOWA	LIBRARY - REGISTRATION	15.00
THEIN MOTOR SALES	POLICE - SERVICE DODGE	78.00
TRANS-IOWA EQUIPMENT INC	STREETS - BEARING	137.89
TREAS. STATE OF IOWA	IOWA SALES TAX - OCTOBER	1,838.63
UPS	SEWER - SHIPPING	112.90
US CELLULAR	ALL DEPTS. - PHONE SERVICE	522.71
USA BLUE BOOK	WATER - FLUORIDE REAGENT	278.39
VEENSTRA & KIMM INC.	SEWER - ENGINEERING	1,373.44
	CAPITAL PROJECT - ENGINE	5,860.00
	STREETS - ENGINEERING	2,944.11
	ADMIN - ENGINEERING SERV	92.00
WALMART COMMUNITY/GEMB	LIBRARY - SUPPLIES	688.44
WENNDT, JOE	FIRE - FIRE TRAINING	125.00
WEST BRANCH COMMUNITY	LIBRARY - MIDDLE SCHOOL AD	25.00
WB FAMILY PRACTICE	FIRE - PHYSICAL	211.00
WEST BRANCH FORD	SEWER/CEMETERY - TIRES	528.28

	STREETS - 04 FORD 350	227.23
WEST BRANCH REPAIRS	STREETS/POLICE/FIRE - SERVICE	1659.51
WEST BRANCH TIMES	LEGAL - PUBLICATIONS	458.67
	LEGAL - PUBLICATIONS	609.00

GRAND TOTALS 296,479.48

FUND TOTALS	
001	GENERAL FUND 71,401.49
022	CIVIC CENTER 779.36
031	LIBRARY 6,896.25
110	ROAD USE TAX 93,506.93
111	POLICE RECOVERY ACT GRANT 148.46
112	TRUST AND AGENCY 2,586.22
226	DEBT SERVICE 8,364.57
304	WASTEWATER LIFT STATION PROJECT 5,860.00
600	WATER FUND 98,473.32
610	SEWER FUND 8,462.88
	**** 296,479.48

The Clerk reported the following receipts for the month of October 2011:

Water, Sewer, Recycling	\$ 55,061.67	Cedar Co. Property Tax	\$ 287,579.54
Water Utility Deposits	\$ 400.00	Johnson Co. Prop. Tax	\$ 18,573.25
Town Hall Rent	\$ 190.00	Road Use Tax	\$ 17,030.24
Misc.	\$ 999.90	Fines	\$ 91.74
Library	\$ 6,986.42	Twp. Fire Contract	\$ 8,067.00
Donations	\$ 1,000.00	Building Permits	\$ 326.40
Interest	\$ 197.17	Fire Station Loan Proceeds	\$ -
Investments Interest	\$ 292.75	Krouth Fund Interest	\$ 0.03
Cable fees	\$ 2,770.95	M. Gray Savings Interest	\$ -
Transfers In	\$ 82,829.40	Cemetery Perp. Care Int.	\$ 0.08
Cat & Dog Registrations	\$ -	MV Refund	\$ 312.90
Beer & Liquor Lic. Fees	\$ 25.00	NPS Plowing Contract	\$ -
Park & Rec. Activities	\$ 832.19	Grave Openings	\$ 600.00
Police Recovery Act Grant	\$ -	Cemetery Lots	\$ 500.00
Local Option Tax	\$ 11,138.64	Reimbursements	\$ 7,019.05
SUBTOTAL	\$ 162,724.09	SUBTOTAL	\$ 340,100.23
		TOTAL	\$ 502,824.32

The Clerk reported the following balances for the month of October 2011:

(Balances =Financial Statement Report Bank Balance + Investments)

Funds	Bank Balance	Investments	Total
001 General	\$ 423,291.87	\$ 146,984.92	\$ 570,276.79
011 Police Donations	\$ -	\$ -	\$ -
014 Fire Dept. Donations	\$ -	\$ -	\$ -
018 Park Donations	\$ -	\$ -	\$ -
022 Civic Center	\$ 33,336.26	\$ -	\$ 33,336.26
031 Library Operating	\$ 21,482.78	\$ 16,314.41	\$ 37,797.19
036 Tort Liability	\$ (6,764.08)	\$ -	\$ (6,764.08)
050 Home Town Days	\$ 11,473.28	\$ -	\$ 11,473.28
110 Road Use Tax	\$ 152,463.77	\$ 30,050.87	\$ 182,514.64
111 Police Recovery Act Grant	\$ (1,268.33)	\$ -	\$ (1,268.33)
112 Trust & Agency	\$ 38,992.00	\$ -	\$ 38,992.00
119 Emergency Tax Fund	\$ 6,855.00	\$ -	\$ 6,855.00
121 Local Option Tax	\$ 3,533.74	\$ -	\$ 3,533.74
125 TIF	\$ 206,056.30	\$ -	\$ 206,056.30

160 Economic Develop.	\$	-	\$	-	\$	-
200 Debt Service	\$	1,354.33	\$	-	\$	1,354.33
226 SRF Debt Service	\$	105,347.50	\$	-	\$	105,347.50
300 Capital Improvement	\$	-	\$	-	\$	-
301 Safe Routes Sidewalk Project	\$	(289.00)	\$	-	\$	(289.00)
303 Fire Capital Project Addition	\$	-	\$	-	\$	-
304 Wastewater Lift Station	\$	(21,110.00)	\$	-	\$	(21,110.00)
500 Cemetery Perpetual	\$	10,815.96	\$	88,000.00	\$	98,815.96
501 Krouth Fund Principal	\$	-	\$	101,931.70	\$	101,931.70
502 Krouth Enlow Int. Fund	\$	8,502.25	\$	16,124.32	\$	24,626.57
600 Water Operating	\$	148,582.82	\$	124,394.45	\$	272,977.27
603 Water Sinking Fund	\$	23,854.14	\$	-	\$	23,854.14
610 Sewer Operating	\$	203,084.22	\$	76,947.99	\$	280,032.21
TOTAL	\$	1,369,594.81	\$	600,748.66	\$	1,970,343.47

COMMUNICATIONS/OPEN FORUM

NONE

PUBLIC, DEPARTMENT HEADS, COMMISSIONS, CITY ADMINISTRATOR AND CITY COUNCIL **Approve Resolution 960, a resolution obligating funds from the Urban Renewal Tax Revenue Fund for the** **payment of annual appropriation tax increment financed obligations in fiscal year 2013./Move to action.**

Motion by Worrell, second by O'Neil to approve Resolution 960, a resolution obligating funds from the Urban Renewal Tax Revenue Fund for the payment of annual appropriation tax increment financed obligations in fiscal year 2013. Roll call vote- AYES: Worrell, O'Neil, Johnson, Sexton, Oaks. Motion carried.

Third reading of Ordinance 685 amending Chapter 92 "WATER RATES" by increasing water rates over a five- **year period effective July 1, 2012./Move to action.**

Motion by Johnson, second by O'Neil to approve third reading of Ordinance 685 amending Chapter 92 "WATER RATES" by increasing water rates over a five-year period effective July 1, 2012. Roll call vote – AYES: Johnson, O'Neil, Worrell, Sexton. NAYS: Oaks. Motion carried.

ORDINANCE NO. 685

AN ORDINANCE AMENDING TITLE CHAPTER 92 "WATER RATES"

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 92 "WATER RATES" of the Code of West Branch, Iowa is hereby amended by deleting Section 92.02 in its entirety and inserting in lieu thereof:

92.02 RATES FOR SERVICE.

Water service shall be furnished at the rate of:

\$4.59 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective June 20, 2006.

\$5.23 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2012.

\$5.87 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2013.

\$6.51 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2014.

\$7.15 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2015.

\$7.79 per 1,000 gallons, with a 1,700-gallon minimum, payable monthly effective July 1, 2016.

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 November, 2011.

First Reading: October 17, 2011

Second Reading: November 7, 2011
Third Reading: November 21, 2011

Don Kessler, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

Third reading of Ordinance 686 amending Chapter 90 “WATER SERVICE SYSTEM” by establishing a permit fee per the City of West Branch Code of Ordinances./Move to action.

Motion by Johnson, second by O’Neil to approve third reading of Ordinance 686 amending Chapter 90 “WATER SERVICE SYSTEM” by establishing a permit fee per the City of West Branch Code of Ordinances. Roll call vote – AYES: Johnson, O’Neil, Worrell, Sexton, Oaks. Motion carried.

ORDINANCE NO. 686

AN ORDINANCE AMENDING TITLE CHAPTER 90 “WATER SERVICE SYSTEM”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 90 “WATER SERVICE SYSTEM” of the Code of West Branch, Iowa is hereby amended by deleting Section 90.06 in its entirety and inserting in lieu thereof:

90.06 FEE FOR PERMIT.

Before any permit is issued, the person who makes application shall pay the following fee for permit to the Superintendent:

\$315 effective November 21, 2011; \$331 effective July 1, 2012; \$348 effective July 1, 2013; \$365 effective July 1, 2014; \$383 effective July 1, 2015; \$402 effective July 1, 2016.

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 November, 2011.

First Reading: October 17, 2011
Second Reading: November 7, 2011
Third Reading: November 21, 2011

Don Kessler, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

Third reading of Ordinance 687 amending Chapter 96 “BUILDING SEWERS AND CONNECTIONS” by establishing a permit fee per the City of West Branch Code of Ordinances./Move to action.

Motion by Johnson, second by O’Neil to approve third reading of Ordinance 687 amending Chapter 96 “BUILDING SEWERS AND CONNECTIONS” by establishing a permit fee per the City of West Branch Code of Ordinances. Roll call vote – AYES: Johnson, O’Neil, Worrell, Sexton, Oaks. Motion carried.

ORDINANCE NO. 687

AN ORDINANCE AMENDING TITLE CHAPTER 96 “BUILDING SEWERS AND CONNECTIONS”

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 96 “BUILDING SEWERS AND CONNECTIONS” of the Code of West Branch, Iowa is hereby amended by deleting Section 96.02 in its entirety and inserting in lieu thereof:

96.02 CONNECTION CHARGE.

Before any permit is issued, the person who makes application shall pay the following fee for permit to the Superintendent:

\$315 effective November 21, 2011; \$331 effective July 1, 2012; \$348 effective July 1, 2013; \$365 effective July 1, 2014; \$383 effective July 1, 2015; \$402 effective July 1, 2016.

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 November, 2011.

First Reading: October 17, 2011
Second Reading: November 7, 2011
Third Reading: November 21, 2011

Don Kessler, Mayor

Attest:

Matt Muckler, City Administrator/Clerk

Approve Resolution 961, amending the City of West Branch Schedule of Fees by removing permit fees for water and sewer connections./Move to action.

Motion by Johnson, second by Worrell to approve Resolution 961, amending the City of West Branch Schedule of Fees by removing permit fees for water and sewer connections. Roll call vote – AYES: Johnson, Worrell, Sexton, O’Neil, Oaks. Motion carried.

MAYOR DON KESSLER

Appointments/Reappointments

None

REPORTS

Parks & Recreation Director Melissa Russell – Winter Programming Update

Melissa gave an update on winter programming. A bags league will be starting at Agave the first weekend in December. The Frosty Frenzy 5K race will be Saturday morning during Christmas Past. She will also be doing crafts at the City Office on Friday and Saturday night that weekend. Fitness classes have started.

Youth basketball for Pre-K - K and first-second grade is a new program this winter. 40 children have registered and they will play in the all purpose room.

Matt Muckler read a letter that he received about the Park & Rec department and the success of the youth programs.

Library Director Nick Shimmin - Annual Library Report

Nick gave the FY11 annual library report.

City Engineer Dave Schechinger, P.E., - Inflow & Infiltration Study Report

ADJOURNMENT

Motion to adjourn meeting by O’Neil, second by Worrell. City Council meeting adjourned at 7:20 p.m.

Don Kessler, Mayor

ATTEST: _____

Dawn Brandt, Deputy City Clerk