

# *City of West Branch*

~ A Heritage for Success ~

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**CITY COUNCIL WORK SESSION**  
**Thursday, March 31, 2011 • 6:30 p.m.**  
**City Council Chambers, 110 North Poplar Street**

1. Call to order
2. Roll call
3. Discussion of the time of regular Council Meetings (Chapter 17.04).
4. Water and Sewer Permit Fee Discussion (Chapter 90.06 and 96.02).
5. Discussion of preliminary plat of Meadows Subdivision.
6. Adjourn

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**Mayor:** Don Kessler • **Council Members:** Mark Worrell, David Johnson, Robert Sexton, Jim Oaks, Dan O'Neil  
**City Administrator/Clerk:** Matt Muckler • **Deputy City Clerk:** Dawn Brandt • **Library Director:** Nick Shimmin  
**Parks & Recreation Director:** Melissa Russell • **Police Chief:** David Bloem • **Fire Chief:** Kevin Stoolman

**CITY OF WEST BRANCH  
COUNCIL ACTION REPORT**

MEETING DATE: March 31, 2011 AGENDA ITEM: 3

DATE PREPARED: March 24, 2011

STAFF LIAISON: Matt Muckler, City Administrator

ACTION TITLE: Discussion of the Time of Regular Council Meetings (Chapter 17.04)

WORKSHOP    SPECIAL    CONSENT    NON-CONSENT    TABLED    PUBLIC HEARING

**RECOMMENDATIONS:**

The Council might consider 7:00 p.m. as a year-round time for regular Council Meetings.

**ATTACHMENTS:**

Chapter 17.04  
Ordinance 678

**CURRENT FISCAL YEAR TOTAL COST (as reflected in motion)** \_\_\_\_\_

BUDGETED                       UNBUDGETED FISCAL YEAR BUDGET (check one) \_\_\_\_\_

**17.04 COUNCIL MEETINGS.** Procedures for giving notice of meetings of the Council and other provisions regarding the conduct of Council meetings are contained in Section 5.06 of this Code of Ordinances. Additional particulars relating to Council meetings are the following:

1. Regular Meetings. The regular meetings of the Council are on the first and third Mondays of each month in the Council Chambers at City Hall. The time of said meetings shall be 6:30 p.m. when held during the months of November through March and shall be at 7:00 p.m. when held during the months of April through October. If such day falls on a legal holiday, the meeting is held at a mutually agreeable time, as determined by the Council. (*Ord. 650 – Aug. 08 Supp.*)

**ORDINANCE NO. 678**

**AN ORDINANCE AMENDING TITLE CHAPTER 17 "COUNCIL"**

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 17 "COUNCIL" of the Code of West Branch, Iowa is hereby amended by deleting Section 17.04.1 in its entirety and inserting in lieu thereof:

**17.04.1 Regular Meetings. The regular meetings of the Council are on the first and third Mondays of each month in the Council Chambers at the City Office Building. The time of said meetings shall be 7:00 p.m. If such day falls on a holiday, the meeting is held at a mutually agreeable time, as determined by the Council.**

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 4th day of April, 2011.

First Reading: April 4, 2011

Second Reading:

Third Reading:

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Don Kessler, Mayor

Attest:

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Matt Muckler, City Administrator/Clerk

**CITY OF WEST BRANCH  
COUNCIL ACTION REPORT**

MEETING DATE: March 31, 2011 AGENDA ITEM: 4

DATE PREPARED: March 24, 2011

STAFF LIAISON: Matt Muckler, City Administrator

ACTION TITLE: Water and Sewer Permit Fee Discussion (Chapter 90.06 and 96.02)

WORKSHOP    SPECIAL    CONSENT    NON-CONSENT    TABLED    PUBLIC HEARING

**RECOMMENDATIONS:** Approve new permit fees at \$315 for sewer and \$315 for water. Fees would automatically increase 5% per year (and then be rounded to the nearest dollar) for five years starting on July 1, 2012, which would bring the permit fee for water up to \$402 and the permit fee for sewer up to \$402 by July 1, 2016. (See Option A below).

**PROJECT DESCRIPTION:**

Chapter 90.06 sets the permit fee for anyone making a connection with the public water system. Chapter 96.02 sets the permit fee for anyone making a connection with the public sewer system. Ordinances 675 and 676 increase these fees to bring West Branch water and sewer fees into line with the fees that are charged by comparable communities.

Option A- Set water and sewer fees at \$315 each effective immediately with 5% per year increases (and then be rounded to the nearest dollar) for five years starting on July 1, 2012, which would bring the permit fee for water up to \$402 and the permit fee for sewer up to \$402 by July 1, 2016. 2011 Rate - \$315. Future Rates: July 1, 2012 - \$331; July 1, 2013 - \$348; July 1, 2014 - \$365; July 1, 2015 - \$383; July 1, 2016 - \$402.

Option B- Set water and sewer fees at \$500 each effective immediately.

Option C-Set water and sewer fees at \$315 each effective immediately with no planned increases over time.

Staff would not recommend setting the fees any lower than \$315.

**ATTACHMENTS:**

Chapter 90.06 & Chapter 96.02  
Connection Fee Districts, Prepared by City Attorney Kevin Olson  
Comparable Communities Analysis, Prepared by City Administrator Matt Muckler  
Ordinance 675  
Ordinance 676

**CURRENT FISCAL YEAR TOTAL COST (as reflected in motion)** \_\_\_\_\_

BUDGETED       UNBUDGETED FISCAL YEAR BUDGET (check one) \_\_\_\_\_

**90.05 PERMIT.** Before any person makes a connection with the public water system, a written permit must be obtained from the City. The application for the permit shall include a legal description of the property, the name of the property owner, the name and address of the person who will do the work, and the general uses of the water. If the proposed work meets all the requirements of this chapter and if all fees required under this chapter have been paid, the permit shall be issued. Work under any permit must be completed within sixty (60) days after the permit is issued, except that when such time period is inequitable or unfair due to conditions beyond the control of person making the application, an extension of time within which to complete the work may be granted. The permit may be revoked at any time for any violation of these chapters.

**90.06 FEE FOR PERMIT.** Before any permit is issued the person who makes the application shall pay fifty dollars (\$50.00) to the Superintendent to cover the cost of issuing the permit and supervising, regulating, and inspecting the work.

*(Code of Iowa, Sec. 384.84)*

**96.01 PERMIT.** No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City. The application for the permit shall set forth the location and description of the property to be connected with the sewer system and the purpose for which the sewer is to be used, and shall be supplemented by any plans, specifications, or other information considered pertinent. The permit shall require the owner to complete construction and connection of the building sewer to the public sewer within sixty (60) days after the issuance of the permit, except that when a property owner makes sufficient showing that due to conditions beyond the owner's control or peculiar hardship, such time period is inequitable or unfair, an extension of time within which to comply with the provisions herein may be granted. Any sewer connection permit may be revoked at any time for a violation of these chapters.

**96.02 PERMIT FEE.** The person who makes the application shall pay a fee to the Clerk, in the amount of fifty dollars (\$50.00) for residential/commercial customers or one hundred dollars (\$100.00) for industrial customers, to cover the cost of issuing the permit and supervising, regulating, and inspecting the work.

## CONNECTION FEE DISTRICTS

Prepared by City Attorney Kevin Olson

Section 384.38 allows cities to adopt connection fee districts to collect a fee from persons hooking up to the city utility systems. In the case of West Branch, that could be for water, wastewater and storm sewer systems. The fee established would be collected when a person or entity connects to the utility system, that usually being new construction of some sort. To determine the fee, the City would construct an improvement for its utility and determine the land area for which it would serve. It would then take the entire cost of the improvement and divide that over the area it would serve to establish the “connection fee.”

As an example, say that West Branch needed to construct a trunk sewer and lift station to serve an undeveloped area of town. The total cost of the improvements being \$1 million. It was determined by the engineers that these improvements served 500 acres of property. Therefore, by dividing the \$1 million cost by the 500 acres, the sanitary sewer connection fee would equal \$2000 per acre, which would be collected upon connection or when a final plat was approved.

These connection fee districts would well for the construction of city improvements into an undeveloped area to attract development by making the site “ready for development.” You can also collect interest or make adjustments to the fee over time to cover the costs.

As opposed to a connection/tap-on fee directly to the water/sanitary mains, which are charged upon “tapping” the existing mains for a new structure. These “tap-on” fees work well for recovering the cost of sewer service to the area and would be collected with a building permit fee for each structure. I have surveyed ordinances and city clerks from cities of similar sizes and have outlined those results below. As you can see, the costs range from minimal to hundreds of dollars per connection. Some cities differentiate between water/sewer and residential and commercial.

### Survey of Sewer and Water Connection (Tap) Fees for Similar Communities

<u>City</u>	<u>Sewer fee</u>	<u>Water Fee</u>
Columbus Junction (pop. 1,899)	\$175.00	\$175.00
Durant (pop. 1,832)	Residential \$0.10 sq. ft. Commercial \$0.015 sq ft. Industrial \$0.02 sq ft.	\$0.05 sq ft. \$0.075 sq ft. \$0.01 sq ft.
Ely (pop 1,776)		5/8” meter \$120.00 All others Cost of meter
Fairfax (pop. 2,123)	\$12.00 LF frontage	

EARLY PROPOSAL FOR AMENDMENT \$1,000 to \$2,000 per lot

Lone Tree (pop 1,300)	\$250.00		3/4 " \$450.00
			1-inch \$650.00
			2-inch \$850.00
			4-inch \$1050.00
			6-inch \$1300.00
			8-inch \$1650.00
			12" \$2500.00
Mt. Vernon (pop 4,506)	4" service \$500.00	5/8" meter \$500.00	
	6" service \$2,000.00	3/4" meter \$750.00	
	8" service \$4,000.00	1" meter \$1000.00	
		1.5 inch \$2500.00	
		2 inch \$4000.00	
		3 inch \$8000.00	
		4 inch \$12,500.00	
Solon (pop. 2,037)	Residential \$250.00	\$100.00	
	Commercial \$500.00	\$110.00	
	Industrial \$500.00	\$110.00	
Stanwood (pop. 684)	Residential \$175.00	\$75.00 plus, tapping	
	Commercial \$300.00	fee of \$25.00 for under	
		1-inch tap, \$50.00 over	
		1-inch tap	
Swisher (pop. 879)	Residential \$2,000.00		
	Commercial \$2,000.00		
	Multi-Family \$2,000.00/unit		
Tiffin (pop. 1,947)	Residential \$1600 per lot		
	Commercial \$0.30 per SF of saleable lot		
Tipton (pop. 3,221)	Residential \$10.00	\$100 under 1", cost if > 1"	
	Commercial \$20.00		
Wellman (pop. 1,408)	\$150.00	\$100.00	
<b>West Branch (pop. 2,322)</b>	<b>Residential \$50.00</b>	<b>\$50.00</b>	
	<b>Commercial \$100.00</b>		
West Liberty (pop. 3,736)	\$150.00	\$150.00	
Wilton (pop. 2,802)	\$250.00	\$25.00 plus \$200.00 for meter	



## COMPARABLE COMMUNITIES ANALYSIS

Prepared by City Administrator Matt Muckler

In a further analysis of City Attorney Kevin Olson's presentation of information on connection fees, I have narrowed the list of comparable cities from fourteen to eight. First, I threw out the high (Swisher) and the low (Tipton). I then removed communities under 1,000 residents or with incomplete information (Stanwood and Ely). Finally, I removed communities that calculated their permit fees by linear foot (Durant and Fairfax). This left eight comparable communities with populations between 1,300 and 4,506.

The average cost of a sewer fee with these eight communities was \$315.62 and the average cost of a water fee was \$312.50.

<u>City</u>	<u>Sewer fee</u>	<u>Water Fee</u>
Columbus Junction (pop. 1,899)	\$175.00	\$175.00
Lone Tree (pop 1,300)	\$250.00	\$450.00
Mt. Vernon (pop 4,506)	\$500.00	\$500.00
Solon (pop. 2,037)	\$250.00	\$100.00
Tiffin (pop. 1,947)	\$800.00	\$800.00
Wellman (pop. 1,408)	\$150.00	\$100.00
West Liberty (pop. 3,736)	\$150.00	\$150.00
Wilton (pop. 2,802)	\$250.00	\$225.00

## **ORDINANCE NO. 675**

### 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 connection charges to reimburse the City for costs borne by the City in making water service available to the property served, in the following amounts:**

- 1. Single Family Dwelling - \$315**
- 2. Duplex (two-family), each unit - \$315**
- 3. Multi-family dwellings up to 12 units - \$315 per unit**
- 4. Commercial or Industrial - \$1,500 per acre up to 5 acres. Over 5 acres may be negotiated based on actual use**

**The permit fee for a customer outside the City limits is one and one-half (1 ½) times the fee shown above.**

**The permit fee must be paid in full before the permit (referenced in 90.05) is issued.**

**A 5% increase per year (with the number then being rounded to the nearest dollar) will take place for five years starting on July 1, 2012 for single family dwellings, duplexes and multi-family dwellings. Effective July 1, 2012 the new fee will be set at \$331. Effective July 1, 2013, the new fee will be set at \$348. Effective July 1, 2014, the new fee will be set at \$365. Effective July 1, 2015, the new fee will be set at \$383. Effective July 1, 2016, the new fee will be set at \$402.**

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 4th day of April, 2011.

First Reading: April 4, 2011

Second Reading:

Third Reading:

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Don Kessler, Mayor

Attest:

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Matt Muckler, City Administrator/Clerk

**ORDINANCE NO. 676**

**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.**

**There shall be connection charges paid to reimburse the City for costs borne by the City in making sewer service available to the property served, in the following amounts:**

1. **Single Family Dwelling - \$315**
2. **Duplex (two-family), each unit - \$315**
3. **Multi-family dwellings up to 12 units - \$315 per unit**
4. **Commercial or Industrial - \$1,500 per acre up to 5 acres. Over 5 acres may be negotiated based on actual use**

**The connection charge for a customer outside the City limits is one and one-half (1 ½) times the fee shown above.**

**The connection charge must be paid in full before the permit (referenced in 96.01) is issued.**

**A 5% increase per year (with the number then being rounded to the nearest dollar) will take place for five years starting on July 1, 2012 for single family dwellings, duplexes and multi-family dwellings. Effective July 1, 2012 the new fee will be set at \$331. Effective July 1, 2013, the new fee will be set at \$348. Effective July 1, 2014, the new fee will be set at \$365. Effective July 1, 2015, the new fee will be set at \$383. Effective July 1, 2016, the new fee will be set at \$402.**

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Passed and approved this 4th day of April, 2011.

First Reading: April 4, 2011

Second Reading:

Third Reading:

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Don Kessler, Mayor

Attest:

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Matt Muckler, City Administrator/Clerk

CITY OF WEST BRANCH  
COUNCIL ACTION REPORT

MEETING DATE: March 31, 2011 AGENDA ITEM: 5

DATE PREPARED: March 24, 2011

STAFF LIAISON: Matt Muckler, City Administrator

ACTION TITLE: Presentation on Preliminary Plat for Phase One of the Meadows Subdivision

WORKSHOP    SPECIAL    CONSENT    NON-CONSENT    TABLED    PUBLIC HEARING

**RECOMMENDATIONS:**

Discussion of Preliminary Plat for Phase One of the Meadows Subdivision. Discussion Only.

**ATTACHMENTS:**

Preliminary Plat, The Meadows Subdivision, West Branch, Iowa

CURRENT FISCAL YEAR TOTAL COST (as reflected in motion)

\_\_\_\_\_

BUDGETED                       UNBUDGETED FISCAL YEAR BUDGET (check one)

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