

*(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**

**December 17, 2012  
6:30 p.m.**

Mayor Don Kessler opened the West Branch City Council meeting at 6:31 p.m. 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, Park & Rec Director Melissa Russell, Library Director Nick Shimmin and City Engineer Dave Schechinger.

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

**APPROVE AGENDA/CONSENT AGENDA**

- a) Approve minutes from the December 3, 2012 City Council Meeting.
- b) Approve claims.

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

Date 12-17-12	City of West Branch	
	Claims Register Report	
Agvantage Fs Inc	Streets - Tank Rental Fee	25.00
Alliant Energy	Various Depts. - Utilities	6,290.78
Amazon	Library - Supplies	393.55
American Water Works Assoc	Water - Membership Renewal	84.00
Baker & Taylor Inc.	Library - Books	1,109.54
Barnhart's Custom Services	Sewer - Service At Lagoons	297.50
Barron Motor Supply	Police/Streets - Supplies	686.91
BDC Building Inspection	Admin - Building Inspections	237.30
BC/BS	Insurance	993.35
BP Amoco	Cemetery/Police - Fuel	1,421.93
Broken Arrow	Police-Koch Ilea Trng Uniform	239.22
Cedar County Cooperative	Fire/Sewer - Diesel Fuel	2,980.72
Cedar County Recorder	Legal - Easement Record Fees	17.00
Cedar County Solid Waste	Streets - Debris Disposal	98.00
Cedar Rapids Photo Copy	Library - Service	84.07
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57
Creative Software Services	Library/Admin -Computer Service	226.95
Croell Redi-Mix Inc	Streets - Scott Dr Project	124.50
Culligan Water	Fire - Water Cond. Rental	32.95
Davis Farm Equipment	Cemetery - Air Filters	131.72
Deweys Jack & Jill	Sewer/Lib/P&R - Supplies	60.43
Digital River Education	Library - Supplies	15.03
Ed.M.Feld Equipment	Fire - Supplies	207.90
EFTPS	Federal Withholdings	4,796.45
Financial Adjustment Bureau	Library - Service	1.50
French Reneker Associates	Eng - WB Flood Dam Design	5,347.70
Gillund Enterprises	Streets - Supplies	184.84
Greatamerica Leasing Corp	Admin - Copier Contract	252.06
Hawkins Water Treatment	Water - Azone-15	1,425.50
Iowa Assn. Mun. Util.	Water - Eiasso Dues	538.62
Iowa Finance Authority	Dbt Srv-Srf Go/Rv Bond Interest	30,120.00
Iowa Library Association	Library - Membership Ren Fees	130.00
Iowa Network Services Inc	Admin - Website Hosting	26.99

Iowa One Call	Water/Sewer - Service	19.80
Iowa Rural Water Assoc.	Water - Comm Dues	250.00
Ipers	Ipers	3,474.36
Johnson County Refuse Inc.	Recycling - November 2012	3,652.75
Lange, Dan	Police - Decal For 2013 Explorer	395.00
Law Enforcement Systems	Police - Supplies	434.74
Lease Consultants Corp	Library - Copier Lease	59.00
Liberty Communications	Various Depts. - Phone Service	1,113.71
Linn County R.E.C.	Streets - Utilities	102.00
Lowes	Streets - Supplies	38.37
Main Street West Branch	Comm Dev-Health Living Fest	100.00
Menards	Streets/Water - Supplies	29.86
Midwest Janitorial Service	Lib/Th/Admin/Police-Cleaning	637.00
Municipal Supply Inc.	Water - Supplies	196.00
Oasis Electric	Library - Repairs To Lighting	441.47
Office Depot Credit Plan	P&R/Police/Admin-Office Supplies	298.99
Olson, Kevin D.	Legal Services - December	1,500.00
Oriental Trading Co. Inc.	Park & Rec - Supplies	171.49
Overdrive Inc	Library - Ebooks	49.98
Parkside Service	Cemetery - Tire Repair	31.78
Payroll Expense 12-7-12	Payroll 12-7-12	23,328.14
Peden, Shanelle M.	Cable - Videotaping	150.00
Pitney Bowes	Library/Admin - Postage	1,000.00
Plato Electric	Police/Streets -Service	1,262.70
Port 'O' Jonny Inc.	Cemetery - Service	83.00
Postmaster	Library - Po Box Renewal	60.00
Qc Analytical Services	Sewer - Testing	1,180.00
Quad City Safety Inc	Fire - Supplies	315.22
Quality Engraved Signs	Admin - Nameplate	25.12
Quill Corp	Library - Office Supplies	178.97
Racom Corporation	Police - 2013 Exp Equipment	9,987.73
Secretary Of State	Admin - Notary Fee	30.00
Sprint	Police - Service	179.97
State Hygienic Lab	Water - Testing	40.00
Terracon Consultants Inc	Sewer - Lift Station Project	4,927.75
Thein Motor Sales	Police - Tire Repair	15.00
Trans-Iowa Equipment Inc	Water/Sewer/St-Oshkosh Srv	3,304.92
Treasurer State Of Iowa	Iowa Sales Tax Pmt November	2,226.87
Treasurer State Of Iowa	State Withholding Tax	909.00
Treat America	Police - Koch ILEECF Meal Fee	1,173.48
UPS	Sewer - Shipping	153.73
US Cellular	Various Depts. - Phone Service	654.29
USA Blue Book	Water/Sewer - Supplies	407.69
Veenstra & Kimm Inc.	Engineering - Various Projects	4,027.62
Walmart	Library - Supplies	548.23
Wellmark BC/BS	Flex	513.33
West Branch Animal Clinic	Animal Control - Stray Cats	280.00
West Branch Ford	Police - 2013 Exp Oil Change	38.94
West Branch Repairs	Police - Oil Charger	5.50
Wex Bank	Police - Fuel	420.37
Woody's Heating & Air Cond	Town Hall - Service Furnace	130.00
	Grand Total	137,500.45

Fund Totals		
001 General Fund		56,870.13
022 Civic Center		591.42
031 Library		8,749.43
110 Road Use Tax		4,239.72
112 Trust And Agency		2,874.93

226 Go Debt Service	27,759.57
600 Water Fund	11,731.67
603 Water Sinking Fund	10,725.00
610 Sewer Fund	13,958.58
Grand Total	137,500.45

### **COMMUNICATIONS/OPEN FORUM**

Muckler reminded the Council about the Cedar and Johnson County Soil and Water Conservation Districts Field Day at the Curtis Friis farm featuring the slow release retention structure. Muckler also stated that animal registrations were due by January 31, 2013. Pastor Chad Whaley with Bethany Lutheran Church provided two communications to Muckler, one commending Chief Horihan for work on behalf of residents and one to open a dialogue with Council Members on affordable housing. Both of those documents were distributed to Council.

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

#### Resolution 1052, approving a West Branch Boy Scout Troop 156 Eagle Scout Project in Wapsi Creek Park./Move to action.

Motion by Miller to approve Resolution 1052, second by Ellyson. Brad Heilmann presented his proposed project to construct a sign and landscaping in Wapsi Creek Park. AYES: Miller, Ellyson, Oaks, Worrell. Absent: O'Neil. Motion carried.

#### Resolution 1053, approving an agreement with Altorfer Inc./Move to action.

Motion by Miller to approve Resolution 1053, second by Worrell. Oaks asked about the reference to street improvements in the agreement. Schechinger and Olson reported that Altorfer would only be responsible for sidewalk installation per the agreement and would not be required to provide any street improvements as a result of this agreement. Pat Puntoni, Vice President of Altorfer's Agricultural Division provided the Council with an overview of Altorfer, Inc. and their plans for a dealership in West Branch. AYES: Miller, Worrell, Ellyson, Oaks. Absent: O'Neil. Motion carried.

#### Resolution 1054, approving Altorfer Inc. Site Plan./Move to action.

Motion by Worrell to approve Resolution 1054, second by Ellyson. AYES: Worrell, Ellyson, Oaks, Miller. Absent: O'Neil. Motion carried.

#### Resolution 1055, amending the conditional zoning agreement between Michael L. and Sherri P. Furman and the City of West Branch, IA for Lot #1 Pedersen Valley, Part One./Move to action.

Motion by Worrell to approve Resolution 1055, second by Ellyson. Worrell thanked Mike Furman for submitting this revised site plan, which provides for a three-story mixed use development. Worrell stated that he felt the revisions would be positive for the community. AYES: Worrell, Ellyson, Miller, Oaks. Absent: O'Neil. Motion carried.

#### Resolution 1056, approving Lot #1 Pedersen Valley, Part One Site Plan./Move to action.

Motion by Worrell to approve Resolution 1056, second by Ellyson. AYES: Worrell, Ellyson, Oaks, Miller. Absent: O'Neil. Motion carried.

#### Resolution 1057, accepting a bid for Lift Station Project./Move to action.

Motion by Miller to approve Resolution 1057, second by Ellyson. Oaks asked why the bids came in higher than the engineer's estimate. Schechinger reported that the low bid came in 13% higher than the engineer's estimate due to poor soil conditions identified by the soil borings report. Schechinger believes that contractors' bids came in higher due to the need for de-watering and other impacts of poor soil on

construction activities. There were also some improvements at the wastewater lagoons that were determined as necessary during preliminary engineering and design work. Kessler and Miller asked about changes orders. Schechinger reported that dewatering tasks have been disclosed to contractors and would not be a valid change order item, but other items could come up during construction that would be dealt with on a case-by-case basis. AYES: Miller, Ellyson, Worrell, Oaks. Absent: O'Neil. Motion carried.

Resolution 1058, approving the purchase of an Elgin Pelican Street Sweeper in the amount of \$168,000./Move to action.

Motion by Miller to approve Resolution 1058, second by Worrell. Oaks asked about the bidding process on the street sweeper. Muckler reported that the sweeper proposal was bid out through the Minnesota Department of Transportation State Bid and that the Iowa Department of Transportation and several cities in Iowa have bought Elgin Pelican street sweepers through the Minnesota DOT State Bid. Oaks asked about who would service the machine. Goodale stated that Trans Iowa would service the machine. Miller suggested that the Council consider a used sweeper as the sweeper has one purpose and is used infrequently. Worrell suggested that the staff investigate rent-to-own options on skid loaders, if that might free up some funds for a street sweeper purchase. Miller suggested that we speak to Altorfer on a potential skid loader purchase and/or rent-to-own agreement. Substitute motion by Worrell to postpone consideration of Resolution 1058 to the January 7, 2013 City Council Meeting, second by Ellyson. AYES: Worrell, Ellyson, Miller, Oaks. Absent: O'Neil. Motion carried.

Resolution 1059, to fix a date for a public hearing on a General Obligation Corporate Purpose and Refunding Loan Agreement in a principal amount not to exceed \$1,600,000./Move to action.

Motion by Worrell to approve Resolution 1059, second by Miller. AYES: Worrell, Miller, Oaks, Ellyson. Absent: O'Neil. Motion carried.

Resolution 1060, approving a donation agreement between the City of West Branch, IA and the Hillshire Brands Company./Move to action.

Amy Lynch, Animal Control Commission Member, stated that the donation would include the building on the property. The land is almost two acres that would be used for a new dog park. The Fire Department has volunteered to burn the building and Lynch's Excavating has volunteered to bury it. Oaks asked about the total projected cost of the project. Lynch stated that fundraising is planned to pay for the fencing which could cost up to \$9,000. Lynch stated that she spoke to the Cedar County Conservation Board and they would like to partner with the City on parking and a restroom facility for the project. Local Girl Scouts are partners on the project as well. Lynch stated that the tentative project completion date would be no later than September 2013. Mayor asked about the City's contribution. Lynch stated that the City would be asked to mow the grass at the new dog park and may be asked to share the cost of the restroom facility. Motion by Worrell to approve Resolution 1060, second by Ellyson. AYES: Worrell, Ellyson, Oaks, Miller. Absent: O'Neil. Motion carried.

Mayoral Appointment – Greg C. Hall, Part-Time Police Officer./Move to action.

Motion by Worrell to approve Greg C. Hall as a part-time police officer, second by Miller. Horihan stated that Greg Hall is a good officer, shares the Police Department's philosophy of community policing and would be a good addition to the department. Hall is ILEA certified and the Tipton Police Chief recommends Hall's hire. Horihan stated that Hall would be available for weekend shifts. AYES: Worrell, Miller, Ellyson, Oaks. Absent: O'Neil. Motion carried.

First Reading of Ordinance 705, amending Chapter 65 “Stop or Yield Required.”/Move to action.

Motion by Miller to approve the first reading of Ordinance 705, second by Worrell. Worrell asked what Ordinance 705 would accomplish. Muckler stated that it would remove the language in the Code that allows for folding stop signs on Main Street at Oliphant. AYES: Miller, Oaks, Ellyson. NAYES: Worrell. Absent: O’Neil. Motion carried.

Accept Richard Slach’s resignation from the Animal Control Commission./Move to action.

Motion by Worrell to approve Richard Slach’s resignation, second by Ellyson. AYES: Worrell, Ellyson, Miller, Oaks. Absent: O’Neil. Motion carried.

**CITY STAFF REPORTS**

City Administrator Matt Muckler – Accepting Sealed Bids on 2000 Ford Crown Victoria.

Muckler stated that staff was recommending that the City accept sealed bids on the 2000 Ford Crown Victoria. Oaks asked if the vehicle might be useful for any purpose. Horihan stated that he would keep the car in service if the Council directed him to do so, but that his recommendation was to accept sealed bids on the vehicle. After further discussion, Council members provided support to accept bids for the vehicle.

Public Works Director Matt Goodale – Alliant Energy Parkside Project.

Goodale stated that Alliant has asked to use the gravel parking lot on the west side of 2<sup>nd</sup> Street across from Wapsi Creek Park to store new street light poles during the project which will replace street lights poles on Parkside from I-80 to Main Street.

**COMMENTS FROM MAYOR AND COUNCIL MEMBERS**

None.

**ADJOURNMENT**

Motion to adjourn meeting by Worrell, second by Ellyson. Motion approved on a voice vote. City Council meeting adjourned at 8:20 p.m.

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Don Kessler, Mayor

ATTEST: \_\_\_\_\_  
Matt Muckler, City Clerk