

City of West Branch

~ A Heritage for Success ~

110 N. Poplar St. • P.O. Box 218 • West Branch, Iowa 52358
Ph. 319-643-5888 • Fax 319-643-2305 • www.westbranchiowa.org • wbcity@lcom.net

CITY COUNCIL MEETING AGENDA Tuesday, September 4, 2012 • 7:00 p.m. City Council Chambers, 110 North Poplar Street *Action may be taken on any agenda item.*

1. Call to order
2. Roll call
3. Welcome
4. Approve Agenda/Consent Agenda/Move to action
 - a. Approve minutes from the August 6, 2012 City Council Meeting.
 - b. Approve claims.
 - c. Approve street closure of Green Street between Downey Street and First Street on Wednesday September 5, 2012 from 4:00 p.m.-8:00 p.m. for the West Branch United Methodist Church Community Tailgater and Pep Rally.
 - d. Approve street closure for the 200 Block of 5th Street on Saturday September 8, 2012 from 5:00 p.m.-8:00 p.m. for a block party.
5. Communications/Open Forum
6. Public Hearing/Non-Consent Agenda
 - a. Mayor Don Kessler – Presentation of certificate of appreciation to Acciona Windpower CEO Joe Baker for support of family activities on the Village Green during Hoover’s Hometown Days.
 - b. Second reading of Ordinance 700, amending Chapter 68 “One-Way Traffic” by adding two one-way streets to section 68.01./Move to action.
 - c. First reading of Ordinance 702, amending Chapter 69 “Parking Regulations” by adding a one-way street to section 69.09./Move to action.
 - d. First reading of Ordinance 703, amending Chapter 91 “Water Meters.”/Move to action.
 - e. Approve Change Order No. 1 in the amount of \$380.25 for the Main Street Overlay Project./Move to action.
 - f. Approve Pay Estimate No. 1 in the amount of \$10,490.25 for the Main Street Overlay Project./Move to action.
 - g. Resolution 1032, accepting the Main Street Overlay Project as completed./Move to action.

Mayor: Don Kessler • **Council Members:** Jordan M. Ellyson, Colton Miller, Jim Oaks, Dan O’Neil, Mark Worrell
City Administrator/Clerk: Matt Muckler • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin
Parks & Rec Director: Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale

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CITY COUNCIL MEETING AGENDA
Tuesday, September 4, 2012 • 7:00 p.m. (continued)
City Council Chambers, 110 North Poplar Street
Action may be taken on any agenda item.

- h. Mayor Don Kessler - Appointments/Reappointments/Move to action.
 - i. Lou Picek – Historic Preservation Commission, December 31, 2012
 - ii. Lane Shields – Historic Preservation Commission, December 31, 2013
 - iii. Alan Bohanan – Historic Preservation Commission, December 31, 2012
 - iv. John Fuller – Historic Preservation Commission, December 31, 2012
 - v. Shane Staker – Park & Recreation Commission, December 31, 2014
 - i. Accept the resignation of Ashley Borland-Kaalberg./Move to action.
- 7. City Staff Reports
 - a. City Administrator Matt Muckler – Administrative Assistant Recruitment
 - b. Public Works Director Matt Goodale – Middle School Access Road Improvements Project Update
 - c. Police Chief Mike Horihan – Iowa Law Enforcement Academy Sponsorship of Alex Koch
- 8. Comments from Mayor and Council Members
 - a. Ordinance 701, placing two stop signs on Oliphant Street at the intersection of Main Street for westbound and eastbound traffic.
 - b. Stormwater Management for Pedersen Valley Part Four
 - c. Repairs to Rip-Rap in Wapsi Creek just south of the Main St. Bridge
- 9. Motion to adjourn to executive session to discuss the purchase of particular real estate only where premature disclosure could be reasonable be expected to increase the price the governmental body would have to pay for that property pursuant to Section 21.5(j) of the Code of Iowa.
- 10. Adjournment

Mayor: Don Kessler • **Council Members:** Jordan M. Ellyson, Colton Miller, Jim Oaks, Dan O'Neil, Mark Worrell
City Administrator/Clerk: Matt Muckler • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin
Parks & Rec Director: Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale

(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

**August 20, 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, Deputy City Clerk Dawn Brandt, Public Works Director Matt Goodale, Fire Chief Kevin Stoolman, Fire Chief Administrator Dick Stoolman, Park & Rec Director Melissa Russell, and Library Director Nick Shimmin. Council members: Mark Worrell, Jordan Ellyson, Colton Miller, Dan O'Neil and Jim Oaks.

APPROVE AGENDA/CONSENT AGENDA

- a) Approve minutes from the August 6, 2012 City Council Meeting.
- b) Approve claims.
- c) Approve the postponement of the Monday September 3, 2012 Council Meeting until Tuesday September 4, 2012 due to the Labor Day Holiday.

Motion by O'Neil, second by Worrell to amend agenda and postpone discussion indefinitely on agenda item e. AYES: O'Neil, Worrell, Ellyson, Miller, Oaks. Motion carried.

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

Date 8/20/12	City Of West Branch	
	Claims Register Report	
Aero Rental Inc	Sewer - Generator Rental	243.00
Air Cooled Engine Service	Cemetery - Service	258.29
Alliant Energy	Various Depts - Utilities	8,041.18
Amazon	Library - Supplies	136.50
Baker & Taylor Inc.	Library - Books	1,040.14
Barron Motor Supply	Fire/Streets/Sewer - Supplies	451.51
BDC Building Inspection	Admin - July Inspections	367.50
Bean & Bean	Cemetery - Grave Openings	3,500.00
Biblionix	Library - Ann Apollo Subscription	1,942.10
Big Timber Excavating	Streets - MS Road Imp Project	9,876.68
Blue Cross Blue Shield	Insurance	9,013.32
Bound Tree Medical LLC	Fire - Return Of Supplies	241.60
BP Amoco	Police/Fire/Water - Fuel	1,078.68
Bryant, Jim	Water Refund	59.47
Burkholder, Chantry	Water Refund	35.51
Business Radio Sales	Fire - Service	135.00
Cedar County Auditor	Solid Waste - FY13 Assessment	9,554.52
Cedar County Cooperative	Fire/Streets - Cont Fuel Tanks	2,764.00
Cedar County Recorder	Legal - Recording Fees	12.00
Cedar Rapids Photo Copy	Library - Service	47.05
Community State Bank	Fire Dept Expansion Loan Pmt	8,364.57
Creative Software Services	Admin - Computer Service	139.62
Croell Redi-Mix Inc	Sewer - Concrete Main St	113.00
Culligan Water	Fire - Conditioner Rental	32.95
Demco	Library - CD Albums	237.31
Deweys Jack & Jill	Adm/Lib/Sew/P&R - Supplies	78.44
Diamond Vogel Paints	Cemetery - Supplies	620.61
East Cent Intergovt Asn.	Legal- Comp Plan June 2012 Exp	2,518.50
Econo Signs LLC	Streets - Barricade Sheeting	377.56
Edwards, Keith	Water Refund	15.02

Edwards, Mackenzie	Reimbursement For HHTD Supplies	146.18
EFTPS	Federal Withholdings	8,922.40
Fareway Stores	P&R - Lunch Bunch Supplies	50.27
Funny Face Designs By Lori	Comm & Cult/P&R - Face Ptg	975.00
General Pest Control	Library - Service	70.00
Gierke-Robinson Company	Streets - Blade	307.58
Greatamerica Leasing Corp	Admin - Copier Lease	252.06
Hanna, John	Police - Reimbursement	10.00
Harry's Custom Trophies	Park & Rec - Medals	90.00
Hawkins Water Treatment	Water - Azone 15	1,463.82
Herb N Lou's	Park & Rec - Gift Cert.	50.00
Highsmith	Library - Supplies	28.25
Hoover Library Association	Comm & Cult Dev-Hhtd Golf Cart	335.00
Horihan, Mike	Comm & Cult-Reimb For Hht Supp	17.60
Hy-Vee Accounts Receivable	Park & Rec - Lunch Bunch	75.97
Iowa City Press-Citizen	Streets/Police - Ads	788.00
Iowa City/County Management	Admin - Fy13 Membership	120.00
Iowa DNR	Sewer - Npdes Permit	210.00
Iowa Law Enforcement	Police - Mmpi-2 Stenda	180.00
Iowa Military Veterans Band	Comm & Cult Dev - Hhtd Band	500.00
Iowa Network Services Inc	Admin - Website Hosting	26.99
Iowa One Call	Water/Sewer - Service	72.00
Iowa Paper	Sewer - Supplies	57.12
Iowa Prison Industries	Streets - Street Signs	547.80
IPERS	Ipers	6,308.52
Johnson County Refuse Inc.	Recycling - July	3,579.94
Kid Again Inflatable Fun	Comm & Cult- Hhtd Inflatables	4,450.00
Kingdom Graphics LLC	Park & Rec - Run Grp Tshirts	557.88
Kirkwood Comm. College	Water/Sewer - Training Classes	1,295.00
Lease Consultants Corp	Library - Copier Contract	59.00
Liberty Communications	Various Depts - Phone Service	1,124.08
Linn County R.E.C.	Streets - Utilities	102.00
Lovig, Charles & Josephine	Sidewalk Agreement Payment	2,508.00
Lynch's Plumbing Inc	Sewer - Supplies	235.45
Matt Parrott	Water/Sewer - Utility Bills	480.60
Mediacom	Cable - Relocation Of Inet	1,576.05
Medtronic Emergency Response	Fire - Supplies	1,960.00
Menards	Streets - Supplies	377.79
Midwest Janitorial Service	Lib/Admin/Th/Police-Cleaning	637.00
Moore's Welding Inc	Fire - Service	314.61
Municipal Supply Inc.	Water - Wire & Touchpads	445.00
Olson, Kevin D.	Legal Services For Aug 2012	1,500.00
Oriental Trading Co. Inc.	Park & Rec - Supplies	375.84
Overdrive Inc	Library - Ebook	49.98
Parkside Service	Fire - Battery	114.45
Payroll Expense	Payroll 8-3 & 8-17-12	43,993.68
Peden, Shanelle M.	Cable - Videotaping	50.00
Pedersen, Molly	Park & Rec - Daycamp Refund	160.00
Pitney Bowes	Library - Postage	1,000.00
Plastic Recycling Of Iowa	Park & Rec - Supplies For Park	2,818.00
Plato Electric Llc	Sewer - Service	220.00
Plunkett's Pest Control	Admin - Service	45.76
Port 'O' Jonny Inc.	Park & Rec - Service	886.00
Pyramid Services Inc.	Cemetery - Supplies	102.78
Qc Analytical Services Llc	Sewer - Testing	474.00
Quality Engraved Signs	Fire - Supplies	37.50
Quill Corp	Fire/Admin - Office Supplies	216.60
Russell, Melissa	P&R-Reimb Lunch Bunch Supplies	1,439.19
Sangelli, Amber	Water Refund	1.56
Schimberg Co	Streets - Supplies For Ms Proj	6,013.78
Simplexgrinnell	Library - Supplies	1,058.50
Sprint	Police - Service	179.97

Stanard & Associates Inc	Police - Emp Tests	136.50
State Hygienic Lab	Water - Testing	40.00
State Library Of Iowa	Library - Fy13 Ebsco Sub Fees	141.10
The Iowa Children's Museum	Park & Rec - Programming	224.96
Tipton Electric Motors	Fire - Service Pressure Washer	195.15
Treasurer State Of Iowa	Sales Tax Pmt - July	3,977.59
Tyler Technologies	Adm/Wat/Sew-Software Sub Fees	7,588.00
Ups	Sewer/Police - Shipping	60.27
Us Cellular	Fire - Phone Service	529.00
Veenstra & Kimm Inc.	Eng Svcs For Lift Station Ease	5,006.64
Walmart	Library - Supplies	472.85
Wellmark Bc/Bs	Dependant Care Flex	1,026.66
Wenndt, Joe	Fire - August Fire Training	150.00
West Branch Family Practice	Fire - Physical Austin	75.00
West Branch Ford	Sewer - Part For 02 Ranger	26,594.60
West Branch Repairs	Fire - Service	290.28
West Branch Times	Water/Police/Legal	1,155.02
Wright Express	Police - Fuel	274.82
	Grand Total	211,278.62

Fund Totals	
001 General Fund	97,981.29
022 Civic Center	484.11
031 Library	15,476.33
110 Road Use Tax	22,040.75
111 Police Recovery Act Grant	20,865.08
112 Trust And Agency	10,888.66
226 Go Debt Service	8,364.57
600 Water Fund	18,674.24
610 Sewer Fund	16,503.59
Grand Total	211,278.62

The Clerk reported the following receipts for the month of July 2012:

Water, Sewer, Recycling	\$ 66,479.44	Cedar Co. Property Tax	\$ 6,212.82
Water Utility Deposits & Hookups	\$ 500.00	Johnson Co. Prop. Tax	\$ -
Town Hall Rent	\$ -	Road Use Tax	\$ 16,244.47
Misc.	\$ 7,011.67	Fines	\$ 197.26
Library	\$ 50,385.75	Twp. Fire Contract	\$ -
Donations	\$ 5,600.00	Building Permits	\$ 2,958.25
Interest	\$ 111.50	Fire Station Loan Proceeds	\$ -
Investments Interest	\$ 72.33	Krouth Fund Interest	\$ 0.03
Cable fees	\$ 6,745.42	M. Gray Savings Interest	\$ -
Transfers In	\$ 13,864.57	Cemetery Perp. Care Int.	\$ 0.05
Cat & Dog Registrations	\$ 30.00	MV Refund	\$ -
Beer & Liquor Lic. Fees	\$ 720.00	NPS Plowing Contract	\$ -
Park & Rec. Activities	\$ 1,040.00	Grave Openings	\$ 1,200.00
Police Recovery Act Grant	\$ -	Cemetery Lots	\$ -
Local Option Tax	\$ 13,689.08	Reimbursements	\$ -
SUBTOTAL	<u>\$ 166,249.76</u>	SUBTOTAL	<u>\$ 26,812.88</u>
		TOTAL	<u>\$ 193,062.64</u>

The Clerk reported the following balances for the month of July 2012:

(Balances = Balance sheet claim on cash balance + Investments- Outstanding checks)

Funds	Bank Balance	Investments	Total
001 General Fund	\$ 453,978.37	\$ 29,507.53	\$ 483,485.90
022 Civic Center	\$ 9,004.47	\$ -	\$ 9,004.47

031 Library Operating	\$	50,166.41	\$	25,317.26	\$	75,483.67
036 Tort Liability	\$	(32,224.62)	\$	-	\$	(32,224.62)
110 Road Use Tax	\$	55,695.38	\$	-	\$	55,695.38
111 Police Recovery Act Grant	\$	20,865.08	\$	-	\$	20,865.08
112 Trust & Agency	\$	11,339.35	\$	-	\$	11,339.35
119 Emergency Tax Fund	\$	139.19	\$	-	\$	139.19
121 Local Option Tax	\$	17,631.14	\$	-	\$	17,631.14
125 TIF	\$	148,087.30	\$	-	\$	148,087.30
226 GO Debt Service	\$	77,429.09	\$	-	\$	77,429.09
304 Wastewater Lift Station	\$	-	\$	-	\$	-
500 Cemetery Perpetual Fund	\$	12,016.34	\$	88,000.00	\$	100,016.34
501 Krouth Fund Principal Fund	\$	-	\$	102,241.24	\$	102,241.24
502 Krouth Enlow Int. Fund	\$	8,502.52	\$	7,779.88	\$	16,282.40
600 Water Operating Fund	\$	196,047.68	\$	-	\$	196,047.68
603 Water Sinking Fund	\$	7,784.14	\$	-	\$	7,784.14
610 Sewer Operating	\$	231,698.44	\$	-	\$	231,698.44

TOTAL	\$	1,268,160.28	\$	252,845.91	\$	1,521,006.19
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COMMUNICATIONS/OPEN FORUM

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

Approve unpaid leave of absence for Administrative Assistant Ashley Borland-Kaalberg./Move to action.

The following unpaid leave of absence was requested: “Per the unpaid leave of absence section in the Employee Handbook, I am requesting the additional three months allotted for the unpaid leave of absence. During this time, I would be available to assist in a part time manner if needed.” As this request for an additional three-month unpaid leave of absence is incompatible with the city’s operational needs and scheduling requirements and because the request does not cite public service leave, extenuating medical circumstances or unpaid bereavement leave as a reason for the request, Muckler recommended that the unpaid leave of absence request be denied.

Motion by O’Neil, second by Worrell to approve unpaid leave of absence. NAYS: O’Neil, Worrell, Ellyson, Miller, Oaks. Motion failed

Third reading of Ordinance 698, amending the length, width and depth sidewalk standards in title “Streets and Sidewalks,” Chapter 136 “Sidewalk Regulations.”/Move to action.

Motion by Worrell, second by O’Neil to approve Third reading of Ordinance 698. AYES: Worrell, O’Neil, Ellyson, Miller, Oaks. Motion carried

ORDINANCE NO. 698

AN ORDINANCE AMENDING THE LENGTH, WIDTH AND DEPTH SIDEWALK STANDARDS IN TITLE, “STREETS AND SIDEWALKS,” CHAPTER 136 “SIDEWALK REGULATIONS.”

WHEREAS, the West Branch City Council would like to update length, width and depth sidewalk standards in the Sidewalk Regulations Chapter of the West Branch Code of Ordinances; and

WHEREAS, the West Branch City Council has constructed all recent sidewalk projects in conformance with these new guidelines; and

WHEREAS, the West Branch City Council would like to provide developers and homebuilders with clear expectations of sidewalk requirements for new residential development in the City of West Branch.

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

Section I. Amendment. The Code of Ordinances is hereby amended by deleting Section 136.07.5.A in its entirety and replaced with the following:

136.07.5.A. Newly constructed residential sidewalks shall be at least five (5) feet wide and four (4) inches thick, and each section shall be no more than four (4) feet in length. Repair and replacement of sidewalks will follow the standards herein, except for width requirements specified in the City of West Branch, Iowa Sidewalk Inspection and Repair Policy.

Section 2. Amendment. The Code of Ordinances is hereby amended by deleting Section 136.07.5.C in its entirety and replaced with the following:

136.07.5.C. Driveway areas in residential zoning districts shall not be less than six (6) inches in thickness, or equivalent strength per SUDAS standards.

Section 3. Amendment. The Code of Ordinances is hereby amended by adding the following Section 136.07.5.D:

136.07.5.D. Driveway areas and sidewalks adjacent to driveway areas in non-residential zoning districts shall not be less than eight (8) inches in thickness, or equivalent strength per SUDAS standards.

Section 4. Amendment. The Code of Ordinances is hereby amended by adding the following definition to Section 136.02:

"Driveway" means the area between the street and property line.

Section 5. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 6. 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 7. 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 20th day of August, 2012.

First Reading: July 16, 2012

Second Reading: August 6, 2012

Third Reading: August 20, 2012

Don Kessler, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

Third reading of Ordinance 699, placing a stop sign on Oliphant street at the intersection of Orange Street for northbound traffic./Move to action.

Motion by Worrell, second by O'Neil to approve Third reading of Ordinance 699. AYES: Worrell, O'Neil, Ellyson, Miller, Oaks. Motion carried

ORDINANCE NO. 699

AN ORDINANCE AMENDING TITLE "TRAFFIC AND VEHICLES" CHAPTER 65 "STOP OR YIELD REQUIRED".

WHEREAS, the West Branch City Council finds it in the best interest of the residents of the West Branch to have a stop sign installed in the northbound lane of Oliphant Street at its intersection with Orange Street to provide for the safety of the West Branch Community.

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 the City Council of West Branch, Iowa by adding the following language to Title, "TRAFFIC AND VEHICLES", Chapter 65, "STOP OR YIELD REQUIRED", Section 65.02, STOP REQUIRED.

55. The northbound lane of Oliphant Street at its intersection with Orange Street.

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 20th day of August, 2012.

First Reading: July 16, 2012

Second Reading: August 6, 2012

Third Reading: August 20, 2012

Don Kessler, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

First reading of Ordinance 700, amending Chapter 68 "One-Way Traffic" by adding two one-way streets to section 68.01./Move to action.

Motion by O'Neil, second by Worrell to approve First reading of Ordinance 700. AYES: O'Neil, Worrell, Ellyson, Miller, Oaks. Motion carried

Resolution 1029, proclaiming September as Home Energy Audit Month in West Branch./Move to action.
WBHS senior Sarah Fischer gave a presentation on home energy audits. Fisher is working with Alliant Energy to provide free home energy audits to West Branch community members. In addition to conserving energy, Fisher discussed the considerable savings that some residents have reported as a result of the home energy audit process.

Motion by O'Neil, second by Worrell to approve Resolution 1029. AYES: O'Neil, Worrell, Ellyson, Miller, Oaks. Motion carried

Resolution 1030, naming the new city park "Wapsi Creek Park."/Move to action.

Motion by Miller, second by O'Neil to approve Resolution 1030. AYES: Miller, O'Neil, Worrell, Ellyson, Oaks. Motion carried

Resolution 1031, approving the purchase of a 2013 Polaris Ranger 800 6x6 Vehicle for the West Branch Fire Department with Donation Funds./Move to action.

Fire Chief Stoolman said that the Carol Secrest family had provided a generous donation to the West Branch Fire Department in her memory. This donation will be used to purchase the vehicle.

Motion by O'Neil, second by Worrell to approve Resolution 1031. AYES: O'Neil, Worrell, Ellyson, Miller, Oaks. Motion carried

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

- i. Trent Hansen – Planning and Zoning Commission, December 31, 2015
- ii. John Fuller – Planning and Zoning Commission, December 31, 2015

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

Mayor Don Kessler - Appointments/Reappointments/Move to action.

- iii. Cary Weisner – Library Board of Trustees, June 30, 2015
- iv. Amanda Rushton – Library Board of Trustees, June 30, 2015
- v. Kandi Baylor – West Branch Animal Control Commission, December 31, 2014

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

CITY STAFF REPORTS

Deputy City Clerk Dawn Brandt – FY12 Debt Report

Brandt gave a report on the City's debt obligation, the balance is \$2,545,883 as of June 30, 2012. The City paid off the Public Works Maintenance building loan in FY12 and is continuing to decrease their debt.

Deputy City Clerk Dawn Brandt – FY12 Annual Audit

Brandt said that the audit will be conducted by the State Auditor's Office and has been tentatively scheduled for October.

City Administrator Matt Muckler – Council Annual Goal Setting – September 4, 2012 Council Work Session at 6:30 p.m.

City Administrator Matt Muckler – Stormwater Management Training

There is a meeting scheduled for September 18, 2012 in Hiawatha. Anyone that is interested in attending was asked to contact the City Office.

City Administrator Matt Muckler – Administrative Assistant Recruitment

Muckler has put together a job description, summary and recruitment schedule for the position. Muckler said that the part-time temporary administrative assistant's last day will be August 31, 2012. Council requested that an additional contact be made to see if the current administrative assistant would be returning on September 4, 2012 in a full-time capacity before moving forward with the recruitment.

COMMENTS FROM MAYOR AND COUNCIL MEMBERS – NONE.

ADJOURNMENT

Motion to adjourn meeting by Worrell, second by O'Neil. City Council meeting adjourned at 7:39 p.m.

Don Kessler, Mayor

ATTEST:

Dawn Brandt, Deputy City Clerk

Date 9/4/12

City of West Branch
Claims Register Report

Cedar Valley World Travel	P&R – IA Game Bus Trip	1,825.00
John Deere Financial	Sewer - Supplies	106.44
Kromminga Motors Inc.	Fire – 2012 Polaris Ranger 6x6	13,230.00
Mediacom	Admin - Service	40.90
Payroll Expense	Payroll 8-31-12	23,842.70
Russell, Melissa	P&R – Reimb. for daycamp	288.00
UPS	Sewer - Shipping	11.40
Yeggy, Jodi	P&R – Reimb. for run group supplies	22.50
	Grand Total	39,366.94

Fund Totals

001 General Fund	29,716.88
031 Library	3,530.98
110 Road Use Tax	682.60
600 Water Fund	2,659.31
610 Sewer Fund	2,777.17
Grand Total	39,366.94

ORDINANCE NO. 700

AN ORDINANCE AMENDING CHAPTER 68 "ONE-WAY TRAFFIC" BY ADDING TWO ONE-WAY STREETS TO SECTION 68.01.

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.

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 68.01:

5. The driveway area from West Orange Street near the water tower south into the West Branch Middle School parking lot.
6. The driveway area (North Maple Street) from the West Branch Middle School parking lot north to West Orange Street at its intersection with North Maple Street.

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 4th day of September, 2012.

First Reading: August 20, 2012
Second Reading: September 4, 2012
Third Reading:

Don Kessler, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

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 4th day of September, 2012.

First Reading: September 4, 2012

Second Reading:

Third Reading:

Don Kessler, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

ORDINANCE NO. 703

AN ORDINANCE AMENDING TITLE CHAPTER 91 "WATER METERS."

1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 91 "WATER METERS" of the Code of West Branch, Iowa is hereby amended by deleting Section 91.06 in its entirety and inserting in lieu thereof:

91.06 FEE FOR WATER METERS.

The full cost of the meter and automated meter reading equipment that is prescribed by the superintendent will be paid for by all new water customers. The superintendent will add automated meter reading equipment to existing customers, at his or her discretion, at the cost of the City.

2. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 91 "WATER METERS" of the Code of West Branch, Iowa is hereby amended by inserting the words "or automated meter reading equipment" after the word "meter" in the first sentence of Section 91.07.
3. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
5. 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 September, 2012.

First Reading: September 4, 2012

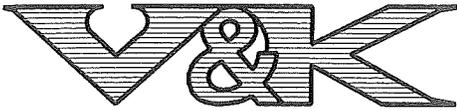
Second Reading:

Third Reading:

Don Kessler, Mayor

Attest:

Matt Muckler, City Administrator/Clerk



VEENSTRA & KIMM, INC.

860 22nd Avenue - Suite 4 • Coralville, Iowa 52241-1565
319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

July 16, 2012

Matt Muckler
City Administrator
City of West Branch
110 Poplar Street
P.O. Box 218
West Branch, IA 52358

WEST BRANCH, IOWA
MAIN STREET OVERLAY
RECOMMENDATION TO AWARD CONTRACT
QUOTATION TAB

The City of West Branch received quotations until 2:00 P.M., July 12, 2012 for the Main Street Overlay. A total of two quotations were received as follows:

<u>Bidder</u>	<u>Bid</u>
L.L. Pelling Company, Inc.	\$ 10,110.00
Shamrock Construction Co., Inc.	\$ 12,580.50

The apparent low bid for the project was submitted by L.L. Pelling Company, Inc. with its bid in the amount of \$10,110.00. We have enclosed one copy of our certified quotation tabulation for your use. Veenstra & Kimm, Inc. has examined the bidding documents and they appear in order.

The Engineer's estimate of cost for the project was \$20,000.00. The low quotation submitted by L.L. Pelling Company, Inc. was approximately 49.5% below the Engineer's estimate of cost for the project.

Veenstra & Kimm, Inc. and the City of West Branch have been involved in projects with L.L. Pelling Company, Inc. in the past.

Matt Muckler
July 16, 2012
Page 2

Veenstra & Kimm, Inc. believes L.L. Pelling Company, Inc. has sufficient experience and resources to complete the project within the contract time. We recommend that the City of West Branch award the construction contract to L.L. Pelling Company, Inc. in the amount of the quotation of \$10,110.00.

If you have any questions or comments concerning the project, please contact us at (319) 466-1000.

VEENSTRA & KIMM, INC.

A handwritten signature in black ink, appearing to read "Dave Schechinger". The signature is stylized with large, sweeping loops and a long horizontal stroke at the end.

Dave Schechinger

DRS:mme

36875

Enclosures



QUOTATION TABULATION
 MAIN STREET OVERLAY
 WEST BRANCH, IOWA

Bid No. 1

Bid No. 2

Project: Construct Main Street Overlay
 for the following unit and lump sum prices:

L.L. Pelling Company
 1425 W Penn
 North Liberty, IA

Shamrock Construction Co., Inc.
 1205 1st Avenue
 Coralville, IA 52241

<u>Description</u>	<u>Unit</u>	<u>Estimated</u>		<u>Unit Price</u>	<u>Extended Price</u>	<u>Unit Price</u>	<u>Extended Price</u>
		<u>Quantities</u>					
1.1 Mobilization	LS	xxxxx		xxxxx	\$ 905.25	xxxxx	\$ 1,500.00
1.2 Traffic Control	LS	xxxxx		xxxxx	\$ 400.00	xxxxx	\$ 1,000.00
1.3 Surfacing (Milling), 2" Depth	SY	327		\$ 4.25	\$ 1,389.75	\$ 3.50	\$ 1,144.50
1.4 HMA Pavement	Tons	74		\$ 97.50	\$ 7,215.00	\$ 114.00	\$ 8,436.00
1.5 Fixture Adjustment	Ea.	1		\$ 200.00	\$ 200.00	\$ 500.00	\$ 500.00
TOTAL BID							
(Items 1.1 - 1.5)					\$ 10,110.00		\$ 12,580.50

I hereby certify that this is a true tabulation of quotations
 received on July 12, 2012 by the City of
 West Branch, Iowa for the Main Street Overlay project.

Dave Schechinger, P.E.
 Iowa License No. 16538
 My license renewal date is December 31, 2012



RESOLUTION 1020

RESOLUTION APPROVING A CONSTRUCTION SERVICES AGREEMENT
IN CONNECTION WITH THE MAIN STREET OVERLAY PROJECT.

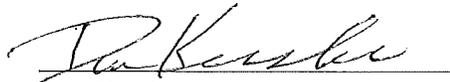
WHEREAS, the City of West Branch took quotations from contractors to overlay a portion of Main Street (the "Project"); and

WHEREAS, L.L. Pelling Company, of North Liberty, Iowa has submitted the lowest quotation in the amount of \$10,110.00; and

WHEREAS, the City Attorney has prepared a construction agreement to perform the Project which requires approval of the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of West Branch, Cedar County, Iowa, that the aforementioned construction agreement be and the same is hereby approved. Further, the Mayor and City Clerk are directed to execute said agreement on behalf of the City.

Passed and approved this 16th day of July, 2012.



Don Kessler, Mayor

ATTEST:



Matt Muckler, City Administrator/Clerk

CONTRACT

THIS AGREEMENT, made and entered into this 16th day of July, 2012, by and between the City of West Branch, Iowa, party of the first part, hereinafter referred to as the "Owner", and L.L. Pelling Company, Inc., party of the second part, hereinafter referred to as the "Contractor".

WITNESSETH: THAT WHEREAS, the Owner has heretofore caused to be prepared certain specifications and proposal blanks, dated the 2nd day of July, 2012, for Main Street Overlay, under the terms and conditions therein fully stated and set forth, and,

WHEREAS, said specifications and proposal blanks accurately and fully describe the terms and conditions upon which the Contractor is willing to perform the work specified:

NOW, THEREFORE, IT IS AGREED:

1. That the Owner hereby accepts the proposal of the Contractor for the work, as follows:

MAIN STREET OVERLAY

Construct Main Street Overlay including all labor, materials and equipment necessary to mill approximately 327 SY of HMA paving, construct a leveling course and 2" surface course adjacent to the existing curb line, and miscellaneous associated work for the sum of Ten Thousand One Hundred Ten and 00/100 Dollars (\$10,110.00) based on the lump sum and unit prices as shown on the Quotation.

2. That this contract consists of the following component parts which are made a part of this agreement and contract as fully and absolutely as if they were set out in detail in this contract:
 - A. Contract Documents, including:
 1. Solicitation for Quotation
 2. Quotation
 3. Bond
 4. Plans List
 5. Detailed Specifications
 6. Plans listed in the specifications
 7. Numbered addenda issued to the foregoing.
 - B. This Instrument.
 - C. The above components are complementary and what is called for by one shall be as binding as if called for by all.
3. That payments are to be made to the Contractor in accordance with and subject to the provisions embodied in the documents made a part of this contract.
4. That this contract is executed in triplicate.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hand and seal the date first written above.

CONTRACTOR

CITY OF WEST BRANCH, IOWA

By Bay Roberts

Don Kepler
Mayor

Title Estimator

ATTEST:

Melinda Jenkins

ATTEST:

M. S. Wood
City Administrator

Title Contract Admin

L.L. PELLING COMPANY, INC.
1425 W. PENN ST.
P.O. BOX 230
NORTH LIBERTY, IA 52317



VEENSTRA & KIMM, INC.

860 22nd Avenue, Suite 4 • Coralville, Iowa 52241-1565
 319-466-1000 • 319-466-1008(FAX) • 888-241-8001(WATS)

August 16, 2012

PAY ESTIMATE NO. 1
MAIN STREET OVERLAY
WEST BRANCH, IOWA

L.L. Pelling Company, Inc.
 1425 W Penn
 North Liberty, IA

Contract Amount \$10,110.00
 Contract Date July 16, 2012
 Pay Period July 26, 2012 - July 31, 2012

BID ITEMS							
	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Completed	Value Completed
1.1	Mobilization	LS	xxxxx	xxxxx	\$ 905.25	100%	\$ 905.25
1.2	Traffic Control	LS	xxxxx	xxxxx	\$ 400.00	100%	\$ 400.00
1.3	Removal of HMA Surfacing (Milling), 2" Depth	SY	327	\$ 4.25	\$ 1,389.75	327	\$ 1,389.75
1.4	HMA Pavement	Tons	74	\$ 97.50	\$ 7,215.00	77.9	\$ 7,595.25
1.5	Fixture Adjustment	Ea.	1	\$ 200.00	\$ 200.00	1	\$ 200.00
Total					\$ 10,110.00		\$ 10,490.25

SUMMARY		
	Total Approved	Total Completed
Contract Price	\$ 10,110.00	\$ 10,490.25
Approved Change Order (list each)		
Revised Contract Price	\$ 10,110.00	\$ 10,490.25

Stored		
Total Earned	\$	10,490.25
Retainage (5%)	\$	524.51
Total Earned Less Retainage	\$	9,965.74
Total Previously Approved (list each)		

Total Previously Approved \$ -
Amount Due This Request \$ 9,965.74

Percent Complete 100%

The amount \$9,965.74 is recommended for approval for payment in accordance with the terms of the contract.

Prepared By:
 L.L. Pelling Company, Inc.

Recommended By:
 Veenstra & Kimm, Inc.

Approved By:
 West Branch, Iowa

Signature: *Barry Rhinehart*
 Name: BARRY RHINEHART
 Title: ESTIMATOR
 Date: AUGUST 20TH 2012

Signature: *Dave Schechinger*
 Name: Dave Schechinger
 Title: Engineer
 Date: August 16, 2012

Signature: _____
 Name: _____
 Title: _____
 Date: _____

RESOLUTION NO. 1032

RESOLUTION ACCEPTING THE MAIN STREET OVERLAY PROJECT AS SUBSTANTIALLY COMPLETED.

WHEREAS, L.L. Pelling Company of North Liberty, Iowa was awarded the construction contract for the Main Street Overlay Project (the "Project"); and

WHEREAS, said Project has now been completed in accordance with the City's design standards; and

WHEREAS, it is now necessary for the City Council to accept the aforementioned as substantially completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the West Branch, Iowa, that the Main Street Overlay Project be accepted as substantially completed. Further, the City Clerk is directed to hold the retainage amount of \$524.51 until 31 days after the date of this Resolution.

* * * * *

Passed and approved this 4th day of September, 2012.

Don Kessler, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk

UNPAID LEAVE OF ABSENCE

It is the policy of West Branch to grant unpaid leaves of absence to its employees when the requests are compatible with a department's operational needs and scheduling requirements. Employees may request an unpaid leave of absence for public service leave, extenuating medical circumstances or unpaid bereavement leave.

An employee desiring an unpaid leave of absence shall make a written request to his/her Department Head, setting forth the reason(s) for the request and the duration of the requested leave.

A request for an unpaid leave of thirty days or less will be approved or disapproved promptly by the Department Head.

A request for an unpaid leave of more than thirty days will be forwarded with recommendation by the Department Head to the City Council or appropriate governing board. In no event shall unpaid leave, under the provision of this policy, be approved for more than six months by the City Council or appropriate governing board unless provided by law.

Upon return from an unpaid leave of absence, West Branch will attempt to place the employee in his/her former position at the salary and step occupied at the time such leave began; provided however, that the employee is able to perform the essential functions of his/her position. In the event the former position is not available or, the employee is not able to perform the essential functions of his/her position, West Branch will attempt to place the employee in another position consistent with qualifications, ability, and staffing requirements. At no time will employees utilizing this policy be guaranteed a position upon return from an unpaid leave of absence.

An employee who fails to return from an unpaid leave of absence on the date specified in the request shall be considered to have resigned his/her position, unless a written request for extension has been submitted by the employee, recommended by the Department Head, and approved by the City Council.

While on an unpaid leave of absence, an employee shall not accrue sick leave or vacation benefits. Nor shall time spent on an unpaid leave of absence be considered time worked for the purpose of receiving an in-grade wage increment. The employee must pay his/her own group health and life insurance premiums for that portion of an unpaid leave of absence in excess of thirty (30) days.

In considering an employee's request for an unpaid leave of absence, the Department Head shall require the employee to use available vacation and/or compensatory time accruals prior to being placed on leave without pay.

Administrative Assistant Recruitment Information

Advertising:

WB Times and six surrounding community papers for 4 weeks (August 30, September 6, 13, and 20)	\$400.00
Iowa Press Citizen – 2 Sunday Print Ads and Online (September 5-28)	\$390.23
The Gazette Career Corridors Online – (August 28-September 28)	\$129.00
Iowa League of Cities Website (August 28-September 28)	Free
City of West Branch Website (August 28-September 28)	Free
Iowa Workforce Development Website (August 29-September 28)	<u>Free</u>
Total	\$919.23

The following job summary will be advertised:

The City of West Branch, Iowa seeks a full-time administrative assistant to perform a variety of administrative duties under the direction of the city administrator/clerk. Up to \$31,200 base salary DOQ plus excellent benefits. Applications available at www.westbranchiowa.org. City employment application, resume, cover letter and three professional references must be mailed to City of West Branch, Attn: Administrative Assistant Candidate Search, PO Box 218, West Branch, IA 52358 or e-mailed to matt@westbranchiowa.org by noon on September 28, 2012. EOE.

Proposed Recruitment Schedule:

Tuesday, August 28, 2012– Officially post the position.

Friday, September 28, 2012 – Application deadline and review of applications.

Week of October 8, 2012 – Interviews.

Monday, October 15, 2012 – City administrator appointment submitted for Council approval.

Thursday, October 16, 2012 – Tentative start date for new Administrative Assistant (or as soon as the selected candidate would be able to start).

ORDINANCE NO. 701

AN ORDINANCE AMENDING TITLE "TRAFFIC AND VEHICLES" CHAPTER 65 "STOP OR YIELD REQUIRED".

WHEREAS, the West Branch City Council finds it in the best interest of the residents of the West Branch to have two stop signs installed on Oliphant Street at the intersection of Main Street for westbound and eastbound traffic to provide for the safety of the West Branch Community.

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 the City Council of West Branch, Iowa by adding the following language to Title, "TRAFFIC AND VEHICLES", Chapter 65, "STOP OR YIELD REQUIRED", Section 65.02, STOP REQUIRED.

56. Main Street on both the east and west approach to its intersection with Oliphant Street.

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 17th day of September, 2012.

First Reading: September 17, 2012
Second Reading:
Third Reading:

Don Kessler, Mayor

ATTEST:

Matt Muckler, City Administrator/Clerk